CALIFORNIA WILDERNESS

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 1584

A BILL TO DESIGNATE CERTAIN PUBLIC LANDS IN THE STATE OF CALIFORNIA AS WILDERNESS, AND FOR OTHER PURPOSES

H.R. 4083

AN ACT TO DESIGNATE CERTAIN PUBLIC LANDS IN THE STATE OF CALIFORNIA AS WILDERNESS, AND FOR OTHER PURPOSES

DECEMBER 15, 1982

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CALIFORNIA WILDERNESS

WEDNESDAY, DECEMBER 15, 1982

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9 a.m., in room 3110, Dirksen Office Building, Hon. Malcolm Wallop presiding.

Present: Senator Wallop.

Also present: Tony Bevinetto, professional staff member; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator WALLOP. Good morning. The Subcommittee on Public Lands and Reserved Water will receive testimony this morning on S. 1584, a bill to designate certain public lands in the State of California, and for other purposes; and H.R. 4083, an act to designate certain public lands in the State of California as wilderness, and for other purposes. Without objection I will place copies of the bills in the hearing record.

[The texts of S. 1584 and H.R. 4083 follows:]

II

97TH CONGRESS
1ST SESSION

S. 1584

To designate certain public lands in the State of California as wilderness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 3 (legislative day, JULY 8), 1981

Mr. ROBERT C. BYRD (for Mr. CRANSTON) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To designate certain public lands in the State of California as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "California Wilderness Act of 1981".

DESIGNATION OF WILDERNESS

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act, the following lands, as generally depicted on maps, appropriately referenced, dated July 1980 (except as otherwise dated) are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Inyo National Forest, California, which comprise approximately forty-nine thousand nine hundred acres, as generally depicted on a map entitled "Boundary Peak Wilderness—Proposed", and which shall be known as the Boundary Peak Wilderness;

(2) certain lands in the Cleveland National Forest, California, which comprise approximately five thousand nine hundred acres, as generally depicted on a map entitled "Caliente Wilderness Proposal" dated July 1980, and which shall be known as the Caliente Wilderness;

(3) certain lands in the Eldorado National Forest, California, which comprise approximately fourteen thousand acres, as generally depicted on a map entitled "Caples Creek Wilderness—Proposed", dated November 1980, and which shall be known as the Caples Creek Wilderness;

(4) certain lands in the Lassen National Forest, California, which comprise approximately one thousand eight hundred acres, as generally depicted on a map entitled "Caribou Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall

be deemed to be a part of the Caribou Wilderness as designated by Public Law 88–577;

(5) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately one hundred ninety thousand acres, as generally depicted on a map entitled "Carson-Iceberg Wilderness—Proposed", and which shall be known as the Carson-Iceberg Wilderness: *Provided, however,* That the designation of the Carson-Iceberg Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities in the Wolf Creek Drainage on the Toiyabe National Forest in the same manner and degree in which such access was occurring as of the date of enactment of this Act;

(6) certain lands in the Shasta Trinity National Forest, California, which comprise approximately seven thousand three hundred acres, as generally depicted on a map entitled "Castle Crags Wilderness—Proposed", and which shall be known as the Castle Crags Wilderness;

(7) certain lands in the Shasta Trinity National Forest, California, which comprise approximately eight thousand two hundred acres, as generally depicted on a

map entitled "Chancelulla Wilderness—Proposed", and which shall be known as Chancelulla Wilderness;

(8) certain lands in the Lassen National Forest, California, which comprise approximately fifteen thousand five hundred acres, as generally depicted on a map entitled "Cinder Buttes Wilderness—Proposed", and which shall be known as the Cinder Buttes Wilderness;

(9) certain lands in the Angeles National Forest, California, which comprise approximately four thousand four hundred acres, as generally depicted on a map entitled "Cucamonga Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Cucamonga Wilderness as designated by Public Law 88-577;

(10) certain lands in the Inyo National Forest, California, which comprise approximately seven thousand six hundred acres, as generally depicted on a map entitled "Deep Wells Wilderness—Proposed", and which shall be known as the Deep Wells Wilderness;

(11) certain lands in the Los Padres National Forest, which comprise approximately sixty-seven thousand acres, as generally depicted on a map entitled "Dick Smith Wilderness—Proposed", dated October, 1979, and which shall be known as Dick Smith Wil-

derness: *Provided,* That the Act of March 21, 1968 (82 Stat. 51), which established the San Rafael Wilderness is hereby amended to transfer four hundred and thirty acres of the San Rafael Wilderness to the Dick Smith Wilderness and establish a line one hundred feet north of the centerline of the Buckhorn Fire Road as the southeasterly boundary of the San Rafael Wilderness, as depicted on a map entitled "Dick Smith Wilderness—Proposed", and wherever said Buckhorn Fire Road passes between the San Rafael and Dick Smith Wildernesses and elsewhere at the discretion of the Forest Service, it shall be closed to all motorized vehicles except those used by the Forest Service for administrative purposes;

(12) certain lands in the Sierra National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dinkey Lakes Wilderness—Proposed", and which shall be known as the Dinkey Lakes Wilderness: *Provided,* That within the Dinkey Lakes Wilderness the Secretary of Agriculture shall permit nonmotorized dispersed recreation to continue at a level not less than the level of use which occurred during calendar year 1979;

(13) certain lands in the Sequoia National Forest, California, which comprise approximately thirty-one thousand acres, as generally depicted on a map entitled "Domeland Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be part of the Domeland Wilderness as designated by Public Law 88-577;

(14) certain lands in the Stanislaus National Forest, California, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Emigrant Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Emigrant Wilderness as designated by Public Law 93-632;

(15) certain lands in the Inyo National Forest, California, which comprise approximately forty-six thousand four hundred acres, as generally depicted on a map entitled "Excelsior Wilderness—Proposed", and which shall be known as the Excelsior Wilderness;

(16) certain lands in the Angeles National Forest, California, which comprise approximately thirty-two thousand nine hundred acres, as generally depicted on a map entitled "Fish Canyon Wilderness—Proposed", and which shall be known as the Fish Canyon Wilderness;

(17) certain lands in the Tahoe National Forest, California, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Granite Chief Wilderness—Proposed", and which shall be known as the Granite Chief Wilderness;

(18) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand six hundred acres, as generally depicted on a map entitled "Granite Peak Wilderness—Proposed", and which shall be known as the Granite Peak Wilderness;

(19) certain lands in the Cleveland National Forest, California, which comprise approximately eight thousand acres, as generally depicted on a map entitled "Hauser Wilderness Proposal" dated July 1980, and which shall be known as the Hauser Wilderness;

(20) certain lands in Toiyabe National Forest, California, which comprise approximately forty-nine thousand two hundred acres, as generally depicted on a map entitled "Hoover Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Hoover Wilderness as designated by Public Law 88-577;

(21) certain lands in and adjacent to the Lassen National Forest, California, which comprise approxi-

mately forty-one thousand eight hundred and forty acres as shown on a map entitled "Ishi Wilderness—Proposed", and which shall be known as the Ishi Wilderness;

(22) certain lands in the Inyo National Forest, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Inyo National Forest—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the John Muir Wilderness as designated by Public Law 88–577;

(23) certain lands in the Sierra National Forest, California, which comprise approximately eighty-one thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Sierra National Forest—Proposed", dated November 1980, and which are hereby incorporated in, and which shall be deemed to be a part of the John Muir Wilderness as designated by Public Law 88–577: *Provided*, That the Secretary of Agriculture is authorized to modify the boundaries of the John Muir Wilderness Additions and the Dinkey Lakes Wilderness as designated by this Act in the event he determines that portions of the existing primitive road between the two wilderness areas should be relocated for environmental protection or other rea-

sons. Any relocated wilderness boundary shall be placed no more than three hundred feet from the centerline of any new primitive roadway and shall become effective upon publication of a notice of such relocation in the Federal Register: *Provided further*, That the nonwilderness jeep corridor between Spanish Lake and Chain Lakes which is surrounded by the John Muir Wilderness Additions as designated by this Act shall be open to the public only for one week each year between July 15 and August 15 and one week between September 15 and October 15;

(24) certain lands in the Lassen National Forest, California, which comprise approximately three thousand nine hundred acres, as generally depicted on a map entitled "Lassen Volcanic Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Lassen Volcanic Wilderness as designated by Public Law 92-510;

(25) certain lands in the Klamath National Forest, California, which comprise approximately thirty-eight thousand acres, as generally depicted on a map entitled "Marble Mountain Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Marble Mountain Wilderness as designated by Public Law 88-577;

(26) certain lands in the Sierra and Inyo National Forest, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "Minarets Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Minarets Wilderness as designated by Public Law 88-577;

(27) certain lands in the Eldorado, Stanislaus, and Toiyabe National Forests, California, which comprise approximately sixty thousand acres, as generally depicted on a map entitled "Mokelumne Wilderness Additions—Proposed", dated November 1980, and which are hereby incorporated in, and which shall be deemed to be a part of the Mokelumne Wilderness as designated by Public Law 88-577;

(28) certain lands in the Sierra and Sequoia National Forests, California, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Monarch Wilderness—Proposed", and which shall be known as the Monarch Wilderness;

(29) certain lands in the Shasta Trinity National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Mt. Shasta Wilderness—Proposed", and which shall be known as Mt. Shasta Wilderness;

(30) certain lands in the Six Rivers National Forest, California, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed", and which shall be known as the North Fork Wilderness;

(31) certain lands in the Shasta Trinity National Forest, California, which comprise approximately twenty-eight thousand acres, as generally depicted on a map entitled "Pattison Wilderness—Proposed", and which shall be known as the Pattison Wilderness;

(32) certain lands in the Cleveland National Forest, California, which comprise approximately thirteen thousand one hundred acres, as generally depicted on a map entitled "Pine Creek Wilderness—Proposed", and which shall be known as the Pine Creek Wilderness;

(33) certain lands in the San Bernardino National Forest, California, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled "Pyramid Peak Wilderness—Proposed", and which shall be known as the Pyramid Peak Wilderness;

(34) certain lands in the Klamath and Rogue River National Forests, California, which comprise approximately twenty-five thousand three hundred acres,

as generally depicted on a map entitled "Red Buttes Wilderness—Proposed", and which shall be known as the Red Buttes Wilderness;

(35) certain lands in the Klamath National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Russian Peak Wilderness—Proposed", and which shall be known as the Russian Peak Wilderness;

(36) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty-one thousand five hundred acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Gorgonio Wilderness as designated by Public Law 88-577;

(37) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand nine hundred acres, as generally depicted on a map entitled "San Jacinto Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Jacinto Wilderness as designated by Public Law 88-577: *Provided however,* That the Secretary of Agriculture may pursuant to an application filed prior to January 1,

1983, grant a right-of-way for, and authorize construction of, a transmission line or lines within the area depicted as "potential powerline corridor" on the map entitled "San Jacinto Wilderness Additions—Proposed": *Provided further,* That if a power transmission line is constructed within such corridor, the corridor shall cease to be a part of the San Jacinto Wilderness and the Secretary of Agriculture shall publish notice thereof in the Federal Register;

(38) certain lands in the Sierra and Inyo National Forests and the Devils Postpile National Monument, California, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled "San Joaquin Wilderness—Proposed", and which shall be known as San Joaquin Wilderness: *Provided however,* That nothing in this Act shall be construed to prejudice, alter, or affect in any way, any rights or claims of right to the diversion and use of waters from the North Fork of the San Joaquin River, or in any way to interfere with the construction, maintenance, repair, or operation of the Jackass-Chiquito hydroelectric power project (or the Granite Creek-Jackass alternative project) as proposed by the Upper San Joaquin River Water and Power Authority: *Provided further,* That the designation of the San Joaquin

Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities nor operation and maintenance of the existing cabin located in the vicinity of the Heitz Meadow Guard Station within the San Joaquin Wilderness, in the same manner and degree in which such access and operation and maintenance of such cabin were occurring as of the date of enactment of this Act;

(39) certain lands in the Cleveland National Forest, California, which comprise approximately thirty-nine thousand five hundred and forty acres, as generally depicted on a map entitled "San Mateo Canyon Wilderness—Proposed", and which shall be known as the San Mateo Canyon Wilderness;

(40) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand acres, as generally depicted on a map entitled "San Rafael Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Rafael Wilderness as designated by Public Law 90-271;

(41) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty thousand one hundred and sixty acres, as gen-

erally depicted on a map entitled "Santa Rosa Wilderness—Proposed", and which shall be known as the Santa Rosa Wilderness;

(42) certain lands in and adjacent to the Sequoia National Forest, California, which comprise approximately forty-eight thousand acres, as generally depicted on a map entitled "Scodies Wilderness—Proposed", and which shall be known as the Scodies Wilderness;

(43) certain lands in the Angeles and San Bernardino National Forests, California, which comprise approximately forty-four thousand acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", and which shall be known as Sheep Mountain Wilderness;

(44) certain lands in the Cleveland National Forest, California, which comprise approximately five thousand two hundred acres, as generally depicted on a map entitled "Sill Hill Wilderness Proposal" dated July 1980, and which shall be known as the Sill Hill Wilderness;

(45) certain lands in the Six Rivers, Klamath, and Siskiyou National Forests, California, which comprise approximately one hundred and one thousand acres, as generally depicted on a map entitled "Siskiyou Wilder-

ness—Proposed", and which shall be known as the Siskiyou Wilderness;

(46) certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Snow Mountain Wilderness—Proposed", and which shall be known as Snow Mountain Wilderness;

(47) certain lands in the Sequoia and Inyo National Forests, California, which comprise approximately seventy-seven thousand acres, as generally depicted on a map entitled "South Sierra Wilderness—Proposed", and which shall be known as the South Sierra Wilderness;

(48) certain lands in the Modoc National Forest, California, which comprise approximately one thousand nine hundred and forty acres, as generally depicted on a map entitled "South Warner Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the South Warner Wilderness as designated by Public Law 88-577;

(49) certain lands in the Lassen National Forest, California, which comprise approximately seven thousand acres, as generally depicted on a map entitled

"Thousand Lakes Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Thousand Lakes Wilderness as designated by Public Law 88-577;

(50) certain lands in and adjacent to the Lassen National Forest, California, which comprise approximately twenty-two thousand acres, as generally depicted on a map entitled "Timbered Crater Wilderness—Proposed", and which shall be known as the Timbered Crater Wilderness;

(51) certain lands in and adjacent to the Klamath, Shasta Trinity and Six Rivers National Forests, California, which comprise approximately five hundred thousand acres, as generally depicted on a map entitled "Trinity Alps Wilderness—Proposed", and which shall be known as the Trinity Alps Wilderness;

(52) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand seven hundred and fifty acres, as generally depicted on a map entitled "Ventana Wilderness Addition—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Ventana Wilderness as designated by Public Laws 91-58 and 95-237; and

(53) certain lands in and adjacent to the Six Rivers and Mendocino National Forests, California, which comprise approximately forty-six thousand acres, as generally depicted on a map entitled "Yolla-Bolly Middle Eel Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Yolla-Bolly Middle Eel Wilderness as designated by Public Law 88–577.

(b) The previous classifications of the High Sierra Primitive Area, Emigrant Basin Primitive Area, and the Salmon-Trinity Alps Primitive Area are hereby abolished.

MONACHE WILDERNESS STUDY AREA

SEC. 3. (a) In furtherance of the purposes of the Wilderness Act, the following lands shall be reviewed by the Secretary of Agriculture as to their suitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendation to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this Act:

(1) certain lands in the Sequoia National Forest, California, which comprise approximately forty-two thousand acres, as generally depicted on a map entitled "Monache Wilderness Study Area", dated July 1980,

and which shall be known as the Monache Wilderness Study Area.

(b) Subject to valid existing rights, the wilderness study area designated by this section shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System: *Provided,* That within the Monache Wilderness Study Area the level of use existing during the year ending June 30, 1980, shall be permitted to continue.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 4. (a) Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary concerned in accordance with the provisions of the Wilderness Act: *Provided,* That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

(b) Within the National Forest wilderness areas designated by this Act—

(1) as provided in subsection 4(d)(4)(2) of the Wilderness Act, the grazing of livestock, where established prior to the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies and practices as the Secretary

deems necessary, as long as such regulations, policies and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and this Act;

(2) as provided in subsection 4(d)(1) of the Wilderness Act, the Secretary concerned may take such measures as are necessary in the control of fire, insects, and diseases, subject to such conditions as he deems desirable; and

(3) as provided in section 4(b) of the Wilderness Act, the Secretary concerned shall administer such areas so as to preserve their wilderness character and to devote them to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

(c) Within sixty days of the date of enactment of this Act, the Secretary of Agriculture shall enter into negotiations to acquire by exchange or otherwise (on a willing-buyer-willing-seller basis and at the landowner's option) all or part of any privately owned lands within the Trinity Alps, Granite Chief, Castle Crags, and Mount Shasta Wilderness areas as designated by this Act. Such acquisition shall to the maximum extent practicable, be completed within three years after the date of enactment of this Act. Market and exchange values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 5. As soon as practicable after enactment of this Act, a map and a legal description on each wilderness area shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADDITIONS TO NATIONAL PARK SYSTEM

SEC. 6. (a) The following lands are hereby added to the National Park System:

(1) certain lands in the Sierra National Forest, California, which comprise approximately seven thousand acres, as generally depicted on a map entitled "Mt. Raymond Addition, Yosemite National Park—Proposed", dated July 1980, and which are hereby in-

corporated in, and which shall be deemed to be a part of Yosemite National Park;

(2) certain lands in the Sequoia National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Jennie Lakes Additions, Kings Canyon National Park—Proposed", dated July 1980, and which are hereby incorporated in, and which shall be deemed a part of Kings Canyon National Park.

(b) Upon enactment of this Act, the Secretary of Agriculture shall transfer the lands described in subsection (a) of this section, without consideration, to the administrative jurisdiction of the Secretary of the Interior for administration as part of the national park system. The boundaries of the national forests and national parks shall be adjusted accordingly. The areas added to the national park system by this section shall be administered in accordance with the provisions of law generally applicable to units of the national park system.

(c) The Secretary of the Interior shall study the lands added to the national park system by subsection (a) of this section for possible designation as national park wilderness, and shall report to the Congress his recommendations as to the suitability or nonsuitability of the designation of such lands as wilderness by not later than three years after the effective date of this Act.

(d) The Secretary of Agriculture is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior for administration as a part of the Yosemite National Park, two hundred and fifty-three acres of the Stanislaus National Forest at Crocker Ridge, identified as all that land lying easterly of a line beginning at the existing park boundary and running three hundred feet west of and parallel to the center line of the park road designated as State Highway 120, also known as the New Big Oak Flat Road, within section 34, township 1 south, range 19 east, and within sections 4, 9, and 10, township 2 south, range 19 east, Mount Diablo base and meridian. The boundary of Yosemite National Park and the Stanislaus National Forest shall be adjusted accordingly.

The Secretary of the Interior is authorized and directed to transfer to the jurisdiction of the Secretary of Agriculture one hundred and sixty acres within the boundary of the Sierra National Forest identified as the northwest quarter of section 16, township 5 south, range 22 east, Mount Diablo base meridian, subject to the right of the Secretary of the Interior to the use of the water thereon for park purposes, including the right of access to facilities necessary for the transportation of water to the park.

NATIONAL PARK WILDERNESS

SEC. 7. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act:

(1) Yosemite National Park Wilderness, comprising approximately six hundred and seventy-seven thousand six hundred acres, and potential wilderness additions comprising approximately three thousand five hundred and fifty acres, as generally depicted on a map entitled "Wilderness Plan, Yosemite National Park, California" numbered 104–20, 003–E dated July 1980, and shall be known as the Yosemite Wilderness;

(2) Sequoia and Kings Canyon National Parks Wilderness, comprising approximately eight hundred and twenty-five thousand eight hundred and twenty-three acres; and potential wilderness additions comprising approximately one hundred acres, as generally depicted on a map entitled "Wilderness Plan—Sequoia-Kings Canyon National Parks—California", numbered 102–20, 003–F and dated August 1981, and shall be known as the Sequoia-Kings Canyon Wilderness.

MAP AND DESCRIPTION

SEC. 8. A map and description of the boundaries of the areas designated in section 7 of this Act shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 7. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and description shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 9. Any lands (in section 7 of this Act) which represent potential wilderness additions upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

ADMINISTRATION

SEC. 10. The areas designated by section 7 of this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SIX RIVERS PLANNING AREAS

SEC. 11. (a) The following planning areas shall be reviewed by the Secretary of Agriculture as to their suitability or nonsuitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this Act:

(1) certain lands in the Six Rivers and Klamath National Forests, California, which comprise approximately sixty thousand acres, as generally depicted on a map entitled "Eightmile and Blue Creek Planning Areas", dated July 1980; and

(2) certain lands in the Six Rivers National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Orleans Mountain Planning Area", dated July 1980: *Provided,* That within the area shown on such map as the "Ski Study Area" the Secretary shall conduct a special study as to the suitability or nonsuitability of the area for location of an alpine ski facility. In conducting such ski study the Secretary shall consider the need for an alpine ski facility in the region, climatological factors, the feasibility and location of possible road access to any ski facility and the impact of ski development on other multiple uses.

(b) Subject to valid existing rights, the planning areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character.

(c) Until Congress determines otherwise, timber volumes within the planning areas designated by this section shall be included in the base used to determine potential yield for the national forest concerned.

(d) Notwithstanding any existing or future administrative designation or recommendation, mineral prospecting, exploration, development, or mining of cobalt and associated minerals undertaken under the United States mining laws within the North Fork Smith roadless area (RARE II, 5-707, Six Rivers National Forest, California) shall be subject to only such Federal laws and regulations as are generally applicable to national forest lands designated as nonwilderness.

WILDERNESS REVIEW CONCERNS

SEC. 12. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress has made its own review and examination of national forest roadless areas in California and of the environmental impacts associated with alternative allocations of such areas.

(b) on the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than California, such statement shall not be subject to judicial review with respect to national forest system lands in the State of California;

(2) upon enactment of this Act, the injunction issued by the United States District Court for the

Eastern District of California in State of California versus Bergland (483 F. Supp. 465 (1980)) shall no longer be in force;

(3) with respect to the national forest lands in the State of California which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), except those lands remaining in further planning upon enactment of this Act, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 (Public Law 94–588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(4) areas in the State of California reviewed in such final environmental statement and not designated as wilderness by this Act or remaining in further planning upon enactment of this Act need not be managed for the purpose of protecting their suitability for wil-

derness designation pending revision of the initial plans;

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

DILLON CREEK

SEC. 13. (a) Certain lands in the Klamath National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dillon Creek Further Planning Area", dated July 1980, shall be considered for all uses, including wilderness, during the preparation of a forest plan for the Klamath National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

(b) Pending completion of the plan, development activities such as timber harvest, road construction, and other activities that may reduce wilderness potential of the land will be prohibited. Activities permitted by prior rights, existing law, and other established uses may continue pending final disposition of the area. Although no harvesting of timber will be allowed other than for emergency reasons, standing timber on commercial forest land in the area will be used to determine allowable sale quantity.

(c) Recommendations for the Dillon Creek Further Planning Area shall be submitted to the Congress and, unless the Congress enacts legislation to the contrary within one hundred and eighty calendar days while Congress is in session, the Dillon Creek Area shall be designated for the use recommended and managed accordingly, beginning January 1, 1986.

SEVERABILITY

SEC. 14. If any provision of this Act or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.

II

97TH CONGRESS
1ST SESSION

H. R. 4083

IN THE SENATE OF THE UNITED STATES

JULY 21 (legislative day, JULY 8), 1981

Read twice and referred to the Committee on Energy and Natural Resources

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AN ACT

To designate certain public lands in the State of California as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "California Wilderness Act of 1981".

DESIGNATION OF WILDERNESS

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act, the following lands, as generally depicted on maps, appropriately referenced, dated July 1980 (except as otherwise dated) are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Inyo National Forest, California, which comprise approximately forty-nine thousand nine hundred acres, as generally depicted on a map entitled "Boundary Peak Wilderness—Proposed", and which shall be known as the Boundary Peak Wilderness;

(2) certain lands in the Cleveland National Forest, California, which comprise approximately five thousand nine hundred acres, as generally depicted on a map entitled "Caliente Wilderness Proposal" dated July 1980, and which shall be known as the Caliente Wilderness;

(3) certain lands in the Eldorado National Forest, California, which comprise approximately fourteen thousand acres, as generally depicted on a map entitled "Caples Creek Wilderness—Proposed", dated November 1980, and which shall be known as the Caples Creek Wilderness;

(4) certain lands in the Lassen National Forest, California, which comprise approximately one thousand eight hundred acres, as generally depicted on a map entitled "Caribou Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall

be deemed to be a part of the Caribou Wilderness as designated by Public Law 88–577;

(5) certain lands in the Stanislaus and Toiyabe National Forests, California, which comprise approximately one hundred ninety thousand acres, as generally depicted on a map entitled "Carson-Iceberg Wilderness—Proposed", and which shall be known as the Carson-Iceberg Wilderness: *Provided, however,* That the designation of the Carson-Iceberg Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities in the Wolf Creek Drainage on the Toiyabe National Forest in the same manner and degree in which such access was occurring as of the date of enactment of this Act;

(6) certain lands in the Shasta Trinity National Forest, California, which comprise approximately seven thousand three hundred acres, as generally depicted on a map entitled "Castle Crags Wilderness—Proposed", and which shall be known as the Castle Crags Wilderness;

(7) certain lands in the Shasta Trinity National Forest, California, which comprise approximately eight thousand two hundred acres, as generally depicted on a

map entitled "Chancelulla Wilderness—Proposed", and which shall be known as Chancelulla Wilderness;

(8) certain lands in the Lassen National Forest, California, which comprise approximately fifteen thousand five hundred acres, as generally depicted on a map entitled "Cinder Buttes Wilderness—Proposed", and which shall be known as the Cinder Buttes Wilderness;

(9) certain lands in the Angeles National Forest, California, which comprise approximately four thousand four hundred acres, as generally depicted on a map entitled "Cucamonga Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Cucamonga Wilderness as designated by Public Law 88-577;

(10) certain lands in the Inyo National Forest, California, which comprise approximately seven thousand six hundred acres, as generally depicted on a map entitled "Deep Wells Wilderness—Proposed", and which shall be known as the Deep Wells Wilderness;

(11) certain lands in the Los Padres National Forest, which comprise approximately sixty-seven thousand acres, as generally depicted on a map entitled "Dick Smith Wilderness—Proposed", dated October, 1979, and which shall be known as Dick Smith Wil-

derness: *Provided,* That the Act of March 21, 1968 (82 Stat. 51), which established the San Rafael Wilderness is hereby amended to transfer four hundred and thirty acres of the San Rafael Wilderness to the Dick Smith Wilderness and establish a line one hundred feet north of the centerline of the Buckhorn Fire Road as the southeasterly boundary of the San Rafael Wilderness, as depicted on a map entitled "Dick Smith Wilderness—Proposed", and wherever said Buckhorn Fire Road passes between the San Rafael and Dick Smith Wildernesses and elsewhere at the discretion of the Forest Service, it shall be closed to all motorized vehicles except those used by the Forest Service for administrative purposes;

(12) certain lands in the Sierra National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dinkey Lakes Wilderness—Proposed", and which shall be known as the Dinkey Lakes Wilderness: *Provided,* That within the Dinkey Lakes Wilderness the Secretary of Agriculture shall permit nonmotorized dispersed recreation to continue at a level not less than the level of use which occurred during calendar year 1979;

(13) certain lands in the Sequoia National Forest, California, which comprise approximately thirty-one thousand acres, as generally depicted on a map entitled "Domeland Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be part of the Domeland Wilderness as designated by Public Law 88-577;

(14) certain lands in the Stanislaus National Forest, California, which comprise approximately six thousand one hundred acres, as generally depicted on a map entitled "Emigrant Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Emigrant Wilderness as designated by Public Law 93-632;

(15) certain lands in the Inyo National Forest, California, which comprise approximately forty-six thousand four hundred acres, as generally depicted on a map entitled "Excelsior Wilderness—Proposed", and which shall be known as the Excelsior Wilderness;

(16) certain lands in the Angeles National Forest, California, which comprise approximately thirty-two thousand nine hundred acres, as generally depicted on a map entitled "Fish Canyon Wilderness—Proposed", and which shall be known as the Fish Canyon Wilderness;

(17) certain lands in the Tahoe National Forest, California, which comprise approximately twenty-five thousand acres, as generally depicted on a map entitled "Granite Chief Wilderness—Proposed", and which shall be known as the Granite Chief Wilderness;

(18) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand six hundred acres, as generally depicted on a map entitled "Granite Peak Wilderness—Proposed", and which shall be known as the Granite Peak Wilderness;

(19) certain lands in the Cleveland National Forest, California, which comprise approximately eight thousand acres, as generally depicted on a map entitled "Hauser Wilderness Proposal" dated July 1980, and which shall be known as the Hauser Wilderness;

(20) certain lands in Toiyabe National Forest, California, which comprise approximately forty-nine thousand two hundred acres, as generally depicted on a map entitled "Hoover Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Hoover Wilderness as designated by Public Law 88-577;

(21) certain lands in and adjacent to the Lassen National Forest, California, which comprise approxi-

mately forty-one thousand eight hundred and forty acres as shown on a map entitled "Ishi Wilderness—Proposed", and which shall be known as the Ishi Wilderness;

(22) certain lands in the Inyo National Forest, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Inyo National Forest—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the John Muir Wilderness as designated by Public Law 88–577;

(23) certain lands in the Sierra National Forest, California, which comprise approximately eighty-one thousand acres, as generally depicted on a map entitled "John Muir Wilderness Additions, Sierra National Forest—Proposed", dated November 1980, and which are hereby incorporated in, and which shall be deemed to be a part of the John Muir Wilderness as designated by Public Law 88–577: *Provided*, That the Secretary of Agriculture is authorized to modify the boundaries of the John Muir Wilderness Additions and the Dinkey Lakes Wilderness as designated by this Act in the event he determines that portions of the existing primitive road between the two wilderness areas should be relocated for environmental protection or other rea-

sons. Any relocated wilderness boundary shall be placed no more than three hundred feet from the centerline of any new primitive roadway and shall become effective upon publication of a notice of such relocation in the Federal Register: *Provided further,* That the nonwilderness jeep corridor between Spanish Lake and Chain Lakes which is surrounded by the John Muir Wilderness Additions as designated by this Act shall be open to the public only for one week each year between July 15 and August 15 and one week between September 15 and October 15;

(24) certain lands in the Lassen National Forest, California, which comprise approximately three thousand nine hundred acres, as generally depicted on a map entitled "Lassen Volcanic Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Lassen Volcanic Wilderness as designated by Public Law 92-510;

(25) certain lands in the Klamath National Forest, California, which comprise approximately thirty-eight thousand acres, as generally depicted on a map entitled "Marble Mountain Wilderness Additions—Proposed", and which are hereby incorporated in, and shall be deemed to be a part of the Marble Mountain Wilderness as designated by Public Law 88-577;

(26) certain lands in the Sierra and Inyo National Forest, California, which comprise approximately nine thousand acres, as generally depicted on a map entitled "Minarets Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Minarets Wilderness as designated by Public Law 88–577;

(27) certain lands in the Eldorado, Stanislaus, and Toiyabe National Forests, California, which comprise approximately sixty thousand acres, as generally depicted on a map entitled "Mokelumne Wilderness Additions—Proposed", dated November 1980, and which are hereby incorporated in, and which shall be deemed to be a part of the Mokelumne Wilderness as designated by Public Law 88–577;

(28) certain lands in the Sierra and Sequoia National Forests, California, which comprise approximately forty-five thousand acres, as generally depicted on a map entitled "Monarch Wilderness—Proposed", and which shall be known as the Monarch Wilderness;

(29) certain lands in the Shasta Trinity National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Mt. Shasta Wilderness—Proposed", and which shall be known as Mt. Shasta Wilderness;

(30) certain lands in the Six Rivers National Forest, California, which comprise approximately eight thousand one hundred acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed", and which shall be known as the North Fork Wilderness;

(31) certain lands in the Shasta Trinity National Forest, California, which comprise approximately twenty-eight thousand acres, as generally depicted on a map entitled "Pattison Wilderness—Proposed", and which shall be known as the Pattison Wilderness;

(32) certain lands in the Cleveland National Forest, California, which comprise approximately thirteen thousand one hundred acres, as generally depicted on a map entitled "Pine Creek Wilderness—Proposed", and which shall be known as the Pine Creek Wilderness;

(33) certain lands in the San Bernardino National Forest, California, which comprise approximately seventeen thousand acres, as generally depicted on a map entitled "Pyramid Peak Wilderness—Proposed", and which shall be known as the Pyramid Peak Wilderness;

(34) certain lands in the Klamath and Rogue River National Forests, California, which comprise approximately twenty-five thousand three hundred acres,

as generally depicted on a map entitled "Red Buttes Wilderness—Proposed", and which shall be known as the Red Buttes Wilderness;

(35) certain lands in the Klamath National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Russian Peak Wilderness—Proposed", and which shall be known as the Russian Peak Wilderness;

(36) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty-one thousand five hundred acres, as generally depicted on a map entitled "San Gorgonio Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Gorgonio Wilderness as designated by Public Law 88-577;

(37) certain lands in the San Bernardino National Forest, California, which comprise approximately ten thousand nine hundred acres, as generally depicted on a map entitled "San Jacinto Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Jacinto Wilderness as designated by Public Law 88-577: *Provided however,* That the Secretary of Agriculture may pursuant to an application filed prior to January 1,

1983, grant a right-of-way for, and authorize construction of, a transmission line or lines within the area depicted as "potential powerline corridor" on the map entitled "San Jacinto Wilderness Additions—Proposed": *Provided further,* That if a power transmission line is constructed within such corridor, the corridor shall cease to be a part of the San Jacinto Wilderness and the Secretary of Agriculture shall publish notice thereof in the Federal Register;

(38) certain lands in the Sierra and Inyo National Forests and the Devils Postpile National Monument, California, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled "San Joaquin Wilderness—Proposed", and which shall be known as San Joaquin Wilderness: *Provided however,* That nothing in this Act shall be construed to prejudice, alter, or affect in any way, any rights or claims of right to the diversion and use of waters from the North Fork of the San Joaquin River, or in any way to interfere with the construction, maintenance, repair, or operation of the Jackass-Chiquito hydroelectric power project (or the Granite Creek-Jackass alternative project) as proposed by the Upper San Joaquin River Water and Power Authority: *Provided further,* That the designation of the San Joaquin

Wilderness shall not preclude continued motorized access to those previously existing facilities which are directly related to permitted livestock grazing activities nor operation and maintenance of the existing cabin located in the vicinity of the Heitz Meadow Guard Station within the San Joaquin Wilderness, in the same manner and degree in which such access and operation and maintenance of such cabin were occurring as of the date of enactment of this Act;

(39) certain lands in the Cleveland National Forest, California, which comprise approximately thirty-nine thousand five hundred and forty acres, as generally depicted on a map entitled "San Mateo Canyon Wilderness—Proposed", and which shall be known as the San Mateo Canyon Wilderness;

(40) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand acres, as generally depicted on a map entitled "San Rafael Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the San Rafael Wilderness as designated by Public Law 90-271;

(41) certain lands in the San Bernardino National Forest, California, which comprise approximately twenty thousand one hundred and sixty acres, as gen-

erally depicted on a map entitled "Santa Rosa Wilderness—Proposed", and which shall be known as the Santa Rosa Wilderness;

(42) certain lands in and adjacent to the Sequoia National Forest, California, which comprise approximately forty-eight thousand acres, as generally depicted on a map entitled "Scodies Wilderness—Proposed", and which shall be known as the Scodies Wilderness;

(43) certain lands in the Angeles and San Bernardino National Forests, California, which comprise approximately forty-four thousand six hundred acres, as generally depicted on a map entitled "Sheep Mountain Wilderness—Proposed", and which shall be known as Sheep Mountain Wilderness;

(44) certain lands in the Cleveland National Forest, California, which comprise approximately five thousand two hundred acres, as generally depicted on a map entitled "Sill Hill Wilderness Proposal" dated July 1980, and which shall be known as the Sill Hill Wilderness;

(45) certain lands in the Six Rivers, Klamath, and Siskiyou National Forests, California, which comprise approximately one hundred and one thousand acres, as generally depicted on a map entitled "Siskiyou Wilder-

ness—Proposed", and which shall be known as the Siskiyou Wilderness;

(46) certain lands in the Mendocino National Forest, California, which comprise approximately thirty-seven thousand acres, as generally depicted on a map entitled "Snow Mountain Wilderness—Proposed", and which shall be known as Snow Mountain Wilderness;

(47) certain lands in the Sequoia and Inyo National Forests, California, which comprise approximately seventy-seven thousand acres, as generally depicted on a map entitled "South Sierra Wilderness—Proposed", and which shall be known as the South Sierra Wilderness;

(48) certain lands in the Modoc National Forest, California, which comprise approximately one thousand nine hundred and forty acres, as generally depicted on a map entitled "South Warner Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the South Warner Wilderness as designated by Public Law 88–577;

(49) certain lands in the Lassen National Forest, California, which comprise approximately seven thousand acres, as generally depicted on a map entitled

"Thousand Lakes Wilderness Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Thousand Lakes Wilderness as designated by Public Law 88-577;

(50) certain lands in and adjacent to the Lassen National Forest, California, which comprise approximately twenty-two thousand acres, as generally depicted on a map entitled "Timbered Crater Wilderness—Proposed", and which shall be known as the Timbered Crater Wilderness;

(51) certain lands in and adjacent to the Klamath, Shasta Trinity and Six Rivers National Forests, California, which comprise approximately five hundred thousand acres, as generally depicted on a map entitled "Trinity Alps Wilderness—Proposed", and which shall be known as the Trinity Alps Wilderness;

(52) certain lands in the Los Padres National Forest, California, which comprise approximately two thousand seven hundred and fifty acres, as generally depicted on a map entitled "Ventana Wilderness Addition—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Ventana Wilderness as designated by Public Laws 91-58 and 95-237; and

(53) certain lands in and adjacent to the Six Rivers and Mendocino National Forests, California, which comprise approximately forty-six thousand acres, as generally depicted on a map entitled "Yolla-Bolly Middle Eel Additions—Proposed", and which are hereby incorporated in, and which shall be deemed to be a part of the Yolla-Bolly Middle Eel Wilderness as designated by Public Law 88-577.

(b) The previous classifications of the High Sierra Primitive Area, Emigrant Basin Primitive Area, and the Salmon-Trinity Alps Primitive Area are hereby abolished.

MONACHE WILDERNESS STUDY AREA

SEC. 3. (a) In furtherance of the purposes of the Wilderness Act, the following lands shall be reviewed by the Secretary of Agriculture as to their suitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendation to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this Act:

(1) certain lands in the Sequoia National Forest, California, which comprise approximately forty-two thousand acres, as generally depicted on a map entitled "Monache Wilderness Study Area", dated July 1980,

and which shall be known as the Monache Wilderness Study Area.

(b) Subject to valid existing rights, the wilderness study area designated by this section shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System: *Provided,* That within the Monache Wilderness Study Area the level of use existing during the year ending June 30, 1980, shall be permitted to continue.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 4. (a) Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary concerned in accordance with the provisions of the Wilderness Act: *Provided,* That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

(b) Within the National Forest wilderness areas designated by this Act—

(1) as provided in subsection 4(d)(4)(2) of the Wilderness Act, the grazing of livestock, where established prior to the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies and practices as the Secretary

deems necessary, as long as such regulations, policies and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act and this Act;

(2) as provided in subsection 4(d)(1) of the Wilderness Act, the Secretary concerned may take such measures as are necessary in the control of fire, insects, and diseases, subject to such conditions as he deems desirable; and

(3) as provided in section 4(b) of the Wilderness Act, the Secretary concerned shall administer such areas so as to preserve their wilderness character and to devote them to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

(c) Within sixty days of the date of enactment of this Act, the Secretary of Agriculture shall enter into negotiations to acquire by exchange or otherwise (on a willing-buyer-willing-seller basis and at the landowner's option) all or part of any privately owned lands within the Trinity Alps, Granite Chief, Castle Crags, and Mount Shasta Wilderness areas as designated by this Act. Such acquisition shall to the maximum extent practicable, be completed within three years after the date of enactment of this Act. Market and exchange values shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area.

FILING OF MAPS AND DESCRIPTIONS

SEC. 5. As soon as practicable after enactment of this Act, a map and a legal description on each wilderness area shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

ADDITIONS TO NATIONAL PARK SYSTEM

SEC. 6. (a) The following lands are hereby added to the National Park System:

(1) certain lands in the Sierra National Forest, California, which comprise approximately seven thousand acres, as generally depicted on a map entitled "Mt. Raymond Addition, Yosemite National Park—Proposed", dated July 1980, and which are hereby in-

corporated in, and which shall be deemed to be a part of Yosemite National Park;

(2) certain lands in the Sequoia National Forest, California, which comprise approximately twelve thousand acres, as generally depicted on a map entitled "Jennie Lakes Additions, Kings Canyon National Park—Proposed", dated July 1980, and which are hereby incorporated in, and which shall be deemed a part of Kings Canyon National Park.

(b) Upon enactment of this Act, the Secretary of Agriculture shall transfer the lands described in subsection (a) of this section, without consideration, to the administrative jurisdiction of the Secretary of the Interior for administration as part of the national park system. The boundaries of the national forests and national parks shall be adjusted accordingly. The areas added to the national park system by this section shall be administered in accordance with the provisions of law generally applicable to units of the national park system.

(c) The Secretary of the Interior shall study the lands added to the national park system by subsection (a) of this section for possible designation as national park wilderness, and shall report to the Congress his recommendations as to the suitability or nonsuitability of the designation of such lands as wilderness by not later than three years after the effective date of this Act.

(d) The Secretary of Agriculture is authorized and directed to transfer to the jurisdiction of the Secretary of the Interior for administration as a part of Yosemite National Park, two hundred and fifty-three acres of the Stanislaus National Forest at Crocker Ridge, identified as all that land lying easterly of a line beginning at the existing park boundary and running three hundred feet west of and parallel to the center line of the park road designated as State Highway 120, also known as the New Big Oak Flat Road, within section 34, township 1 south, range 19 east, and within sections 4, 9, and 10, township 2 south, range 19 east, Mount Diablo base and meridian. The boundary of Yosemite National Park and the Stanislaus National Forest shall be adjusted accordingly.

The Secretary of the Interior is authorized and directed to transfer to the jurisdiction of the Secretary of Agriculture one hundred and sixty acres within the boundary of the Sierra National Forest identified as the northwest quarter of section 16, township 5 south, range 22 east, Mount Diablo base meridian, subject to the right of the Secretary of the Interior to the use of the water thereon for park purposes, including the right of access to facilities necessary for the transportation of water to the park.

NATIONAL PARK WILDERNESS

SEC. 7. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)) and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act:

(1) Yosemite National Park Wilderness, comprising approximately six hundred and seventy-seven thousand six hundred acres, and potential wilderness additions comprising approximately three thousand five hundred and fifty acres, as generally depicted on a map entitled "Wilderness Plan, Yosemite National Park, California" numbered 104-20, 003-E dated July 1980, and shall be known as the Yosemite Wilderness;

(2) Sequoia and Kings Canyon National Parks Wilderness, comprising approximately seven hundred and thirty-six thousand nine hundred and eighty acres; and potential wilderness additions comprising approximately one hundred acres, as generally depicted on a map entitled "Wilderness Plan—Sequoia-Kings Canyon National Parks—California", numbered 102-20, 003-E and dated July 1980, and shall be known as the Sequoia-Kings Canyon Wilderness.

MAP AND DESCRIPTION

SEC. 8. A map and description of the boundaries of the areas designated in section 7 of this Act shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in section 7. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 9. Any lands (in section 7 of this Act) which represent potential wilderness additions upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

ADMINISTRATION

SEC. 10. The areas designated by section 7 of this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SIX RIVERS PLANNING AREAS

SEC. 11. (a) The following planning areas shall be reviewed by the Secretary of Agriculture as to their suitability or nonsuitability for preservation as wilderness. The Secretary shall submit his report and findings to the President, and the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than three years from the date of enactment of this Act:

(1) certain lands in the Six Rivers and Klamath National Forests, California, which comprise approximately sixty thousand acres, as generally depicted on a map entitled "Eightmile and Blue Creek Planning Areas", dated July 1980; and

(2) certain lands in the Six Rivers National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Orleans Mountain Planning Area", dated July 1980: *Provided,* That within the area shown on such map as the "Ski Study Area" the Secretary shall conduct a special study as to the suitability or nonsuitability of the area for location of an alpine ski facility. In conducting such ski study the Secretary shall consider the need for an alpine ski facility in the region, climatological factors, the feasibility and location of possible road access to any ski facility and the impact of ski development on other multiple uses.

(b) Subject to valid existing rights, the planning areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character.

(c) Until Congress determines otherwise, timber volumes within the planning areas designated by this section shall be included in the base used to determine potential yield for the national forest concerned.

(d) Notwithstanding any existing or future administrative designation or recommendation, mineral prospecting, exploration, development, or mining of cobalt and associated minerals undertaken under the United States mining laws within the North Fork Smith roadless area (RARE II, 5-707, Six Rivers National Forest, California) shall be subject to only such Federal laws and regulations as are generally applicable to national forest lands designated as nonwilderness.

WILDERNESS REVIEW CONCERNS

SEC. 12. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress has made its own review and examination of national forest roadless areas in California and the environmental impacts associated with alternative allocations of such areas.

(b) on the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest lands in States other than California, such statement shall not be subject to judicial review with respect to national forest system lands in the State of California;

(2) upon enactment of this Act, the injunction issued by the United States District Court for the

Eastern District of California in State of California versus Bergland (483 F. Supp. 465 (1980)) shall no longer be in force;

(3) with respect to the national forest lands in the State of California which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), except those lands remaining in further planning upon enactment of this Act, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 (Public Law 94–588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(4) areas in the State of California reviewed in such final environmental statement and not designated as wilderness by this Act or remaining in further planning upon enactment of this Act need not be managed for the purpose of protecting their suitability for wil-

derness designation pending revision of the initial plans;

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of California for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

DILLON CREEK

SEC. 13. (a) Certain lands in the Klamath National Forest, California, which comprise approximately thirty thousand acres, as generally depicted on a map entitled "Dillon Creek Further Planning Area", dated July 1980, shall be considered for all uses, including wilderness, during the preparation of a forest plan for the Klamath National Forest pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

(b) Pending completion of the plan, development activities such as timber harvest, road construction, and other activities that may reduce wilderness potential of the land will be prohibited. Activities permitted by prior rights, existing law, and other established uses may continue pending final disposition of the area. Although no harvesting of timber will be allowed other than for emergency reasons, standing timber on commercial forest land in the area will be used to determine allowable sale quantity.

(c) Recommendations for the Dillon Creek Further Planning Area shall be submitted to the Congress and, unless the Congress enacts legislation to the contrary within one hundred and eighty calendar days while Congress is in session, the Dillon Creek Area shall be designated for the use recommended and managed accordingly, beginning January 1, 1986.

SEVERABILITY

SEC. 14. If any provision of this Act or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.

Passed the House of Representatives July 17, 1981.

Attest: EDMUND L. HENSHAW, JR.,

Clerk.

Senator **Wallop**. I ask that all witnesses limit their oral testimony to 5 minutes. Your complete written statement will be made a part of the record. The record will remain open for 10 days after this date.

The first witness is my friend and colleague, Senator Hayakawa. Welcome this morning. I see you every day now in front of this committee.

Senator **Hayakawa**. It makes for some very good days indeed.

STATEMENT OF HON. S. I. HAYAKAWA, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Thank you, Mr. Chairman, and thank you for inviting me to this hearing on two nearly identical bills, S. 1584 introduced by my colleague Senator Cranston, and the House-passed bill, H.R. 4083. I must admit that I was surprised to learn that the subcommittee scheduled a hearing on this legislation at such a late date. If there is any point that I would like to stress today, it is that the California wilderness issue needs to be addressed. However, I do not think there is enough time remaining in the 97th Congress to give any proposals adequate consideration. I urge you and the committee to wait until the 98th Congress to act on California wilderness proposals.

To designate or not to designate a wilderness area is a controversial subject battled between two major sides, those who want many more areas designated wilderness and those who support a few more wilderness areas. The difference between the two adjectives—few and many—often means thousands of jobs or wilderness acres depending on the proposal advocated.

In the case of California, about 42 million acres or 42 percent of California's 101.5 million acres are public lands managed by the Departments of Agriculture and Interior. There are 2.7 million acres already designated as wilderness in California. The second roadless area review and evaluation, commonly known as RARE II, recommended wilderness status for another 1.3 million acres in California, and further study for 2.7 million acres. Furthermore, the Bureau of Land Management is considering the suitability of a wilderness designation for an additional 6.6 million acres of BLM land.

The present and potential wilderness comprised by these categories totals 12.7 million acres. When one adds the 4.5 million acres of existing national park land to the 12.7 acres of present and potential wilderness areas, the total acreage equals 17.2 million acres. This means that more than 17 percent of the land in California is an actual or potential wilderness area or park land. For every 6 acres in California, at least 1 is either parkland, wilderness area or a potential wilderness area.

Now I would like to point out what S. 1584 would mean for California. If passed, this bill would establish 53 new national forest areas totaling 2.1 million acres compared to the RARE II recommendation of 20 additional wilderness areas comprising 1.3 million acres. About 1.4 million acres of existing national park land would be classified as national park wilderness and 19,000 acres of national forest roadless land would be added to the national park system.

Another 162,000 acres would be slated for further wilderness evaluation as classified wilderness study or planning areas.

What bothers me is that the U.S. Forest Service spent about $6 million for the RARE II study. About $600,000 or 10 percent of the study cost was spent addressing California lands alone. Three years later, we are considering a bill which would designate almost twice as much wilderness as was recommended during the Carter administration. While I agree that there is plenty of land in California which should be designated wilderness, I cannot support a bill which advocates almost double the wilderness recommended by President Carter. It seems to me that there is a great deal of room for compromise between Senator Cranston's bill and the RARE II recommendation.

If S. 1584 is enacted, the volume of national forest timber available to mills in northern California would be substantially reduced. Such reductions will critically affect the economies of Del Norte, Humboldt, Trinity, Shasta and Siskiyou Counties where unemployment is already way above the national average. In the next 5 years, about 2,600 jobs could be lost if S. 1584 is enacted. Returns to these counties from timber sale receipts would also be substantially reduced.

Another problem I have with Senator Cranston's bill is the Federal Government's cost to acquire and maintain the wilderness areas. While I realize many of the lands would be acquired on an exchange basis with private owners, the bill does not mention maintenance expenditures. Everyone knows that the competition for the Federal dollar is already stiff. I am having trouble getting the Federal Government to acquire lands such as the Santa Monica Mountains National Recreation Area and Sweeney Ridge, both of which were authorized by Congress.

If the Cranston measure is supported, how much money will the Federal Government have to spend to acquire the lands in a State which is not known to have a depressed real estate market? Furthermore, how much will we have to spend to manage the more than 2 million wilderness acres? Before the Senate moves to adopt S. 1584, these questions should be answered.

Finally, Mr. Chairman, I point out that although S. 1584 stipulates how much time the Secretaries of Agriculture and Interior have to study and recommend wilderness designations, the bill fails to address what will happen to these lands after the recommendations are made. How much time will Congress have to study the Departments of the Interior and Agriculture recommendations? This question also needs to be answered.

Mr. Chairman, I cannot support Senator Cranston's bill. While I also object to H.R. 4083, Congressman Phil Burton deserves some acknowledgment for his slick efforts to sail by unanimous consent his bill through Congress in 4 days. In any event, I encourage this committee to oppose both bills at this time. I recommend your consideration of a California wilderness act in the 98th Congress. I deeply appreciate the opportunity to testify. Thank you, Mr. Chairman.

Senator WALLOP. Thank you. I tip my hat to you for generating that much passion this early in the morning. Do you happen to know how many acres of private land are in the wilderness proposals in the Cranston-Burton bill, the deeded land that will have to be acquired?

Senator **Hayakawa**. No. I don't have that.

Senator **Wallop**. The problem with purchase is obvious. We cannot purchase. The other problem with exchange is that you shrink the forest preserve. These are intermingled now. If you exchange lands near them on some of the outside edge of the wilderness areas, then public access and public recreation and everything else is shrunk even greater than takes place with the enactment of a wilderness status. I appreciate your presence here this morning.

Senator Cranston is not here, so I will proceed with the hearing. The next witness is Secretary John Crowell, Assistant Secretary for Natural Resources and Environment, Department of Agriculture; and Mary Lou Grier, Deputy Director of National Park Service.

STATEMENT OF JOHN B. CROWELL, JR., ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, DEPARTMENT OF AGRICULTURE

Mr. **Crowell**. Good morning, Mr. Chairman. With your permission I will proceed first.

We are pleased to be able to be here this morning to give the Department of Agriculture's views on S. 1584 and H.R. 4083.

In brief, the wilderness designations in those two bills we believe are excessive because the values which will be foregone by enactment of either one of them is excessive. As Senator Hayakawa has indicated, the bills cover 2.1 million acres for wilderness set-aside which exceeds the RARE II recommendations by over 800,000 acres.

The two bills differ only in that S. 1584 would add 88,000 acres more to the Kings Canyon-Sequoia wilderness than does H.R. 4083, and it has 600 acres less in the Sheep Mountain proposal than does H.R. 4083.

By contrast to these two bills RARE II resulted in recommendation of 1.2 million acres for wilderness. Two of the areas that were recommended by RARE II during the last administration are not supported by this administration for additional wilderness because they were not recommended by the Forest Service as a result of the environmental impact statement done for RARE II. Those two areas are Red Butte and Boundary Peaks. Neither does this administration support the 15,000-acre portion of a proposed addition to the Marble Mountain Wilderness Area because of high timber values on that 15,000 acres. The area is also one in which there is considerable wilderness already set aside, and which large additional wilderness proposal which we do support would exist.

We concur with the exclusion in both bills of the 620 acres in the Giddy Giddy Gulch-Sand Flat Area on the proposed Mount Shasta Wilderness Area because that area is particularly well adapted to a ski resort development.

We have three major reasons for refusing to support 800,000 acres more wilderness in these two bills than RARE II recommended. Our first reason is the one that Senator Hayakawa hit on a little bit, and that is the State of California already has very substantial amounts of the areas in designated wilderness or which are recommended as a result of RARE II which we do support for wilderness, or which are in further planning status either under FLPMA or under the RARE II recommendations for further planning.

The result is that a very high percentage, already 18 percent of the Federal land in California, is in wilderness or protected wilderness areas and national parks, and that same acreage amounts to 7 percent of the total land in the State. It's also anticipated that as a result of the further planning and further studies being done by both BLM and the Forest Service, that there will be recommendations for additions to those areas after proper evaluation and study.

Our third reason for being opposed to either of these bills is that 320,000 acres are included which were not recommended for wilderness by RARE II because they were too potentially valuable for other uses. The areas which were recommended for wilderness by RARE II have about 7 billion board feet of timber growing stock which is worth conservatively about three-quarters of a million dollars.

The additions in these bills would double that value and together would result in reducing the potential annual yield from the national forest by about 70 million board feet each year.

Inclusion of the nonrecommended areas in these bills would reduce harvests by approximately 50 million board feet annually through 1987, and then in the following decade, 1988 through 1997 it would reduce annual harvest from the national forest in California by 137 million feet annually.

The reason for the increase would be that present planning would call for more harvesting in the existing roadless areas which were not recommended for wilderness than have been carried on in the past. There has been no harvesting in those areas, and we have been dependent upon other areas to produce the timber from their potential yield capability of the California National Forest.

Furthermore, we are concerned about the direct job loss that would occur as a result of the excess set-asides for wilderness being proposed by these two bills. We estimate that in 1983–87 the job losses or direct job losses would be 350 to 400, and that in the decade following the direct job losses would be about 1,000 jobs. The indirect job losses and supporting service industries would be about double those numbers for the years in question.

Senator Hayakawa also referred to the lost receipts to the Treasury and to the counties which would occur as a result of the excessive set-asides proposed by these two bills. We estimate that through 1987 the losses to the Treasury each year would be about $10 million, and that that would increase during the 10 years following, 1988–97, to $25 or $30 million a year. There is also high potential for mineral development and extraction on at least 200,000 acres of the areas which have been included in these bills which were not recommended for wilderness by RARE II. There are also five potential ski areas that have been identified which would be preempted by the bill.

The consequences of this proposed legislation also need to be looked at in the context of damage which has already been done to the northern California economy and communities by erosion of the timber base as a result of set-asides which have occurred here before. The Redwood Park expansion in 1978 destroyed about 3,000 jobs in the northwestern part of California, both direct and indirect. The hope was that there could be an increase in the harvest levels from the nearby national forest, the Six Rivers and Shasta-Trinity. But that acceleration in harvest has still not occurred as a result of the delays occasioned by performing the RARE II, and now as a result of the need for carrying out the planning process to conclusion, if we now entertained the idea of setting aside large additional wilderness areas in that region, the expectation of the hope of increasing the annual harvest would be frustrated. I don't see any way in which we can reasonably expect the unemployment, which is over 20 percent now, to be substantially reduced in those counties.

We are also concerned about the provision in the bill which would mandate either a land exchange, or if a land exchange can't be effected to acquire 41,000 acres which is the amount of acreage involved in about four of the proposed areas, that we would have to purchase it. We estimate that would cost $30 million to $40 million, and that's money that would be very hard to come by. Senator Hayakawa indicated that there are large areas in California that have not yet been funded which have already been authorized. Redwood Park is one of those. He mentioned the Santa Monica National Recreation Area as one.

There are four planning areas and one area indicated for study, Dillon Creek, Eightmile, Blue Creek, Orleans Mountain. These areas have been studied and restudied, and this legislation would call for them to be restudied further. We think that's pointless.

We are also opposed to the transfer of 19,000 acres to the Sequoia-Kings Canyon Park because it would serve no legitimate purpose and isn't designed to make the boundaries which are more easily administrated and more feasible. We defer to the Department of Interior for their comments with respect to section 7 of both bills that would designate almost 1.5 million acres of national parks in California as wilderness.

We know also that the bills do not contain provisions for release of lands which are not recommended for wilderness by RARE II for the necessity to be considered again in anything but the current planning cycle for possible wilderness designation in the future.

As you know, Mr. Chairman, the administration has taken the position that any wilderness legislation ought to have in it so-called release language for lands which were not recommended for wilderness. We had started urging that that release language be permanent, but in more recent testimony on a number of occasions before your committee we have indicated that we would be willing to accept release language to the year 2000. This bill does not even go that far.

We still have the problem also that these bills do exempt from judicial review the areas which were not recommended as a result of any infirmities in the environmental impact statement, but only covers the lands of California.

As you know, the recent decision in the Ninth Circuit Court of Appeals has cast a cloud not only on all of the nonrecommended areas in California, but throughout the country as well. We believe if this legislation is to be seriously considered, that the provision ought to be included in it to provide for sufficiency of the EIS with respect to all of those lands which were not recommended by RARE II.

So for all of these reasons, Mr. Chairman, and we have it more in detail in my printed statement which is rather lengthy, we oppose enactment of H.R. 4083 and S. 1584.

[The prepared statement of Mr. Crowell follows:]

STATEMENT OF
JOHN B. CROWELL, JR., ASSISTANT SECRETARY
FOR NATURAL RESOURCES AND ENVIRONMENT
U.S. DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands and Reserved Water
Committee on Energy and Natural Resources
United States Senate

On S. 1584 and H.R 4083, concerning the designation of certain public lands in State of California as components of the National Wilderness Preservation System.

DECEMBER 15, 1982

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

We are pleased to outline our views on the California wilderness legislation. The wilderness designations in S. 1584 and H.R. 4083 are excessive in area because the resources which would be foregone are extremely high.

S. 1584 and H.R. 4083 would both designate 53 new National Forest wildernesses and wilderness additions for a total of 2.1 million acres. The bills are identical except that S. 1584 would delete 600 acres from the Sheep Mountain wilderness proposal and would add 88,843 acres more to the Sequoia-Kings Canyon wilderness proposal than would H.R. 4083. Both bills also would designate one additional wilderness study area--Monache, and four planning areas--Eightmile, Blue Creek, Orleans Mountain, and Dillon Creek--totaling 162,000 acres.

The previous Administration, as a result of RARE II, recommended 20 new wildernesses and 15 wilderness additions for a total of 1.3 million acres in California. We support the designation of these areas as wilderness with the exception of four areas: Red Butte, 25,300 acres (5703, 6703); Boundary Peaks, 58,800 acres of which 49,900 acres are in California (A5058, B5058); small addition to Marble Mountain Wilderness, 14,850 acres (A5074); and the 620-acre Giddy Giddy Gulch-Sand Flat area of the 26,000-acre proposed Mount Shasta Wilderness (A5231); the revised total of wilderness additions recommended by the Administration is 1,196,910 acres. S. 1584 and H.R. 4083, in contrast, would designate 53 new wildernesses and wilderness additions for a total of 2.1 million acres, nearly doubling our recommendations.

Boundary Peak (A5058, B5058), and Red Butte (5703, 6703) were not recommended for wilderness in the RARE II Final Environmental Statement, though ultimately they were proposed as wilderness by the previous Administration. This Administration recommends they not be designated wilderness. After careful examination of the remaining wilderness recommendations of the previous Administration, we have concluded that part of the Marble Mountain additions (A5074) should not be designated wilderness because of the high timber values in an area of sizable existing or proposed wilderness. We note that the Giddy Giddy Gulch-Sand Flat area is not included in S. 1584 or H.R. 4083. We concur that it should not be designated as wilderness but should remain available for consideration for possible winter sports development.

Although S. 1584 and H.R. 4083 include the areas recommended for wilderness in RARE II, they go far beyond those recommendations and would designate as wilderness 28 RARE II further planning areas, or parts thereof, totaling 442,470 acres and 21 RARE II nonwilderness areas totaling 320,300 acres. We strongly recommend that these additional areas not be designated as wilderness. We have three major reasons for this recommendation.

Existing and Proposed Wilderness

First, in California there already is substantial land designated as wilderness. Within the 42 million acres in California administered by the Secretaries of Agriculture and the Interior, 2.7 million acres of public lands are in the Wilderness System now; 1.3 million acres are before the Congress as a result of the RARE II recommendations, of which 1.2 million acres are supported by the Administration. An additional 1.5 million acres of National Park wilderness are being considered for addition to the Wilderness System and more than 2 million acres of existing National Park lands are largely unroaded and undeveloped.

Wilderness Study and Further Planning Areas

Secondly, over 9 million acres of Federal lands in California are already in some form of wilderness study status. About 6.8 million acres of public lands are being considered by the Bureau of Land Management for wilderness suitability. Possible wilderness designation, of course, will be considered in planning uses for the 2.7 million California acres placed in the further planning category by RARE II. As a result of the RARE II process, the Forest Service concluded that these lands needed further consideration. In some cases, sufficient evidence to favor any one use or set of uses was lacking; in other places adjacent to National Parks or BLM lands, more time was needed to coordinate interagency assessment of the wilderness potential. All these further planning areas will remain essentially undeveloped until the land and resource management plans are completed. Upon completion of this planning process, the Administration may recommend the inclusion of the additional areas in the National Wilderness Preservation System. Therefore, we recommend the 442,470 acres of further planning areas be deleted from S. 1584 and H.R. 4083 so the additional review can be carried out.

Resource and Economic Impacts

Thirdly, wilderness designation of the 320,300 acres of RARE II non-recommended areas would result in substantially adverse consequences to the National Forest timber sale program, would result in major losses for developed recreation use, would adversely affect mineral exploration and possible development, and would prevent important wildlife management activities.

The RARE II areas recommended for wilderness in California contain about 7 billion board feet of sawtimber growing stock. Even at an average value of $100 per thousand board feet, this represents a total value of about three quarters of a billion dollars. The added areas included in S. 1584 and H.R. 4083 would cause that figure to be about doubled and would result in an annual reduction in potential yield of approximately 70 million board feet.

The areas added in S. 1584 and H.R. 4083 that are above the RARE II recommendations would result in a reduction of average programed harvest estimated at 50 million board feet annually through 1987. It is anticipated that if these lands were left available for multiple-use management, they would contribute to the annual harvest approximately 137 million board feet between 1988-97. The reason they would contribute an added volume is that during the past decade cutting has been concentrated in currently roaded areas and most opportunities for maintaining levels are in the nonwilderness areas.

The economic impacts of S. 1584 and H.R. 4083 are substantial. If enacted, we estimate that returns to the U.S. Treasury from the sale of timber would be about $50 million less in the next 5 years and about $25-30 million annually in the 10 years following. These estimates are based on anticipated recovery in the timber industry that would result in average stumpage values greater than the current market ($82.00/MBF) but not at levels previously experienced ($373/MBF, FY 80). An average projected stumpage value of $200/MBF was used. This dollar loss and subsequent reduction in employment would result from the sales planned in nonwilderness areas that are proposed for wilderness or for further study by S. 1584 and H.R. 4083. Plans for these sales, obviously, would need to be cancelled. The resultant loss in jobs during the period 1983-87 is estimated at about 350 to 400 and would likely increase to about 1,000 during the period 1988-97. Jobs lost indirectly in service industries would be about double this number. Many communities, especially in northern California, are dependent on National Forest timber and would be adversely affected.

The ability of National Forests in California to meet other important resource targets would be jeopardized by the enactment of either S. 1584 or H.R. 4083. Although an updated information analysis will be available when National Forest land and resource management plans are completed, it already is apparent that on the additional lands contained in S. 1584 and H.R. 4083 there are opportunities for: (1) extraction of gold, silver, uranium, chromite, manganese, copper, and tungsten for which high potential exists on more than 200,000 acres; (2) ski development at five potential sites which could accommodate about 14,000 skiers at one time; (3) development for picnicking, camping, and other types of recreation; and (4) the improvement of wildlife habitat.

The impacts of S. 1584 and H.R. 4083 should not be looked at in isolation. They are one more in a series of cumulative impacts that are diminishing substantially the availability of commercial forest land base and will subsequently result in a reduction of timber harvest on National Forest System lands. On the Klamath National Forest, for example, the cumulative effect would be to reduce the annual programed timber harvest by 17 percent from 259 MMBF to 215 MMBF. Other National Forests in northwest California would be similarily affected.

The initial Redwood National Park and its expansion in 1978 had major adverse consequences for the economy in Del Norte and Humboldt counties. The employment associated with the timber industry was especially hard hit. These counties were assured that such measures as accelerated road building on the Six Rivers National Forest and accelerated harvest on the Six Rivers, the Shasta-Trinity, and the Klamath National Forests offered promise of lessening the adversity. Such relief has not occurred. Current unemployment is over 20 percent. S. 1584 and H.R. 4083 would seriously restrict ability of the Forest Service to increase longtime harvest levels and would cause a significant decrease in the present programed harvest from these National Forests.

Another factor in northern California which will reduce timber harvesting and employment is the designation of the Klamath, Trinity and Eel Rivers and the Smith River and many of its tributaries as part of the National Wild and Scenic Rivers System by former Secretary of the Interior Andrus. This action reduced the estimated programed harvest from the Six Rivers National Forest by 2 million board feet annually.

We also have major concerns regarding the private lands and special exchange language in section 4(c). The 41,000 acres of private land contained in four proposed wildernesses in S. 1584 and H.R. 4083 (Trinity Alps, Mt. Shasta, Castle Crags, and Granite Chief) are mandated for Federal acquisition by exchange or otherwise. We estimate that purchase costs would be $30 million to $40 million. Exchange of the lands could alter the balance of National Forest land base available for goods and services, impacting existing programs. While some exchanges may be desirable, we strongly recommend that legislation on California wilderness not include special purchase or exchange provisions.

S. 1584 and H.R. 4083 would designate one new study area--Monache, and four planning areas--Eightmile, Blue Creek, Orleans Mountain, and Dillon Creek. These areas have already been studied and restudied. There is no management or scientific justification for spending more time and money on redundant studies. We strongly recommend deletion of these special study provisions.

While we concur with part of the proposed transfers of National Forest System lands to the National Park System, we object to others. Section 6 would transfer to the Yosemite and the Sequoia-Kings Canyon National Parks for study and possible designation as wilderness, one RARE II "Nonwilderness" roadless area (Jennie Lakes #05200) and one "Further Planning" area (Mt. Raymond #05242), totaling 19,000 acres of National Forest lands. We strongly object to these transfers that would establish boundaries unrelated to terrain and access, thus complicating the Forest Service's ability to manage the remaining acres in the areas of transfer.

We do concur in two minor boundary adjustments for Yosemite National Park, described in the Park Master Plan dated September 1980. One adjustment would transfer the 253-acre Crocker Ridge addition presently within the Stanislaus National Forest to the National Park. The other adjustment would delete the 160-acre Raymond Mountain from the park. This latter area is outside the park's legislative boundary. It has been administered by the Forest Service under a 1963 Memorandum of Understanding in conjunction with the Sierra National Forest.

We generally defer to the Department of the Interior for detailed comments on section 7 of the bill that would designate approximately 1.4 million acres of the National Park System as wilderness.

We have a number of concerns regarding the special exceptions and provisions included in this legislation which we believe will lower the quality of the National Wilderness Preservation System and provide precedent for similar provisions in future legislation. We also offer several suggested name changes. Details are included in our legislative report of March 5, 1982.

Release/Sufficiency Language

On October 22, 1982, the United States Court of Appeals for the Ninth Circuit affirmed the District Court decision in State of California v. Bergland (E.D. Calif., 1981). The result of the decision is to hold the environmental impact statement and the public participation procedures connected with the RARE II recommendations legally inadequate. Although the holding of the case applies directly only to 46 RARE II areas in California which were recommended for nonwilderness, the holding is potentially applicable as legal precedent to all the roadless areas which were recommended for nonwilderness status as a result of the RARE II process.

The effect of the decision of the Appeals Court is potentially far-reaching. Since the Appeals Court has now found the RARE II Final Environmental Impact Statement (EIS) to be an inadequate basis for making such nonwilderness land allocations, any development activity in any nonwilderness area is obviously vulnerable to legal or administrative challenge. Anyone objecting to any development activity in any RARE II nonwilderness area in the Ninth Circuit States of California, Oregon, Washington, Idaho, Montana, Arizona, and Nevada is virtually certain to be successful, either through court action or through the administrative appeals process. The Ninth Circuit's decision is also likely to be applied as precedent in other circuits. If this situation is not corrected by Congressional action, development activities could be vulnerable to legal challenge for an extended period of time.

The disruption resulting from the Ninth Circuit decision could be avoided if Congress were to enact a provision (1) declaring that the RARE II environmental impact statement and associated procedures satisfied the requirements of applicable Federal statutes and regulations, (2) prohibiting judicial review of any aspect of the RARE II decision, and (3) requiring that no further wilderness consideration need be given to RARE II nonwilderness areas in land management plans before the year 2000. Therefore, it is essential that the wilderness review provisions of section 12 be modified and strengthened to include language that will remove uncertainty as to the management of the lands designated for multiple uses other than wilderness. With increasing National demands for both renewable and nonrenewable resources, we can no longer afford further delays. The resulting uncertainty is having a severe impact on public and private investments which are essential to utilization of the Nation's timber supply, on exploration for and development of mineral and energy resources, on range capability, on wildlife management, and on the expansion of developed recreation opportunities.

We strongly oppose both S. 1584 and H.R. 4083 and recommend that they not be enacted unless amended as we have suggested.

This concludes our prepared testimony. I will be happy to answer any questions that you may have.

Senator **WALLOP**. Thank you very much. I will have some questions, but I think we will hear from Director Grier first.

STATEMENT OF MARY LOU GRIER, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Ms. **GRIER**. Mr. Chairman, it's a pleasure to appear before the subcommittee this morning. I have an eight page statement that goes into some detail on the national park boundary changes and wilderness treated in sections 6 and 7 of S. 1584 and H.R. 4083. With your permission, I would like to file that statement for the record and provide this brief summary.

Section 6 of the bill adds two parcels of land to Yosemite National Park: an addition of 7,000 acres to Mount Raymond and a 253-acre addition in Crocker Ridge. We do not recommend the 7,000-acre addition. We have not studied that part as yet, but we do support the 253-acre addition.

This small addition has been discussed with the Forest Service and it's needed because the park entrance station is currently located there.

Section 7 of the bill designates wilderness in Yosemite and Sequoia and Kings Canyon National Parks. The House-passed bill and Senate bill are identical with respect to the proposed Yosemite wilderness, 677,600 acres and 3,550 acres of potential wilderness additions.

Our recommendation is virtually identical, 678,500 acres of wilderness and 3,500 acres of potential wilderness additions. The proposed Sequoia and Kings Canyon Wilderness is 736,980 acres in the House-passed bill, and 825,823 acres in the Senate bill, a difference of some 88,843 acres. Our recommendation is the same amount as the Senate bill, 825,823 acres.

Mr. Chairman we defer to the Department of Agriculture with respect to the other provisions of the bills which would designate large amounts of national forest lands as wilderness. Thank you.

[The prepared statement of Ms. Grier follows:]

STATEMENT OF MARY LOU GRIER, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES ON S. 1584 AND H.R. 4083, DESIGNATING WILDERNESS IN SEQUOIA, KINGS CANYON, AND YOSEMITE NATIONAL PARKS, CALIFORNIA

DECEMBER 15, 1982

MR. CHAIRMAN, IT IS A PLEASURE TO APPEAR BEFORE THE SUBCOMMITTEE TODAY TO PRESENT OUR VIEWS ON SECTIONS 6 AND 7 OF S. 1584 AND H.R. 4083, SIMILAR BILLS WHICH WOULD DESIGNATE WILDERNESS WITHIN SEQUOIA, KINGS CANYON, AND YOSEMITE NATIONAL PARKS IN THE STATE OF CALIFORNIA. THE BILLS WOULD ALSO MAKE SEVERAL SMALL BOUNDARY MODIFICATIONS TO YOSEMITE AND KINGS CANYON NATIONAL PARKS, AND DESIGNATE LARGE TRACTS OF NATIONAL FOREST LANDS IN CALIFORNIA AS WILDERNESS.

INSOFAR AS THEY APPLY TO THE NATIONAL PARK SYSTEM, THE BILLS ARE IDENTICAL WITH ONE EXCEPTION: THE SENATE BILL DESIGNATES 88,843 ACRES MORE AS WILDERNESS IN SEQUOIA AND KINGS CANYON NATIONAL PARKS.

THE DEPARTMENT SUPPORTS THE ENACTMENT OF SECTIONS 6 AND 7 OF S. 1584 AND H.R. 4083, IF AMENDED TO CONFORM WITH OUR SPECIFIC RECOMMENDATIONS ON THE VARIOUS ISSUES. HOWEVER, WE DEFER TO THE DEPARTMENT OF AGRICULTURE TO PRESENT THE ADMINISTRATION'S VIEWS ON THE OTHER PROVISIONS OF THESE BILL, WHICH WE UNDERSTAND CAUSE SERIOUS CONCERNS.

SEQUOIA AND KINGS CANYON NATIONAL PARKS

SEQUOIA AND KINGS CANYON NATIONAL PARKS WERE ESTABLISHED IN 1890 TO PROTECT GREAT GROVES OF GIANT SEQUOIAS, TWO MAJOR CANYONS OF THE KINGS RIVER, AND A MAJOR REPRESENTATIVE PORTION OF THE HIGH SIERRA, INCLUDING MOUNT WHITNEY, THE

HIGHEST PEAK IN THE 48 STATES. CONGRESS IN 1978, REVISED THE BOUNDARIES OF SEQUOIA NATIONAL PARK WITH THE ADDITION OF THE MINERAL KING VALLEY TO THE PARK, PROVIDING PERMANENT PROTECTION FOR THIS MAJOR PARK AND RECREATION RESOURCE.

IN ACCORDANCE WITH THE PROVISIONS OF THE WILDERNESS ACT OF 1964 SEQUOIA AND KINGS CANYON NATIONAL PARKS WERE STUDIED FOR THEIR WILDERNESS POTENTIAL. IN 1971 A RECOMMENDATION WAS MADE TO CONGRESS FOR THE DESIGNATION OF 721,970 ACRES WITHIN THE PARKS AS WILDERNESS. SINCE THAT TIME FURTHER REVIEW OF THE ORIGINAL WILDERNESS RECOMMENDATION HAS BEEN DONE CONSISTENT WITH CONGRESSIONAL POLICY CONCERNING WILDERNESS BOUNDARIES AND IN CONSIDERATION OF THE ACQUISITION OF PRIVATE INHOLDINGS WITHIN THE PARKS, FURTHER EVALUATION OF THE EXISTING AND PROPOSED DEVELOPMENT OF THE PARKS FOR VISITOR USE, AND THE RESOLUTION OF THE MINERAL KING VALLEY ISSUE. THIS REVIEW WAS COMPLETED IN 1980.

BASED UPON THAT REEVALUATION WE RECOMMEND THAT 825,853 ACRES OF WILDERNESS AND 80 ACRES OF POTENTIAL WILDERNESS ADDITION BE DESIGNATED WITHIN THE PARKS. MUCH OF THE WILDERNESS WOULD BORDER AND IS COMPLEMENTARY TO THE GOLDEN TROUT AND JOHN MUIR WILDERNESS AREAS ON ADJACENT NATIONAL FOREST LANDS. UNDER OUR RECOMMENDATION ALL EXISTING DEVELOPMENTS AND PROPOSED VISITOR FACILITIES ARE EXCLUDED FROM WILDERNESS. S. 1584 WOULD DESIGNATE 825,823 ACRES OF WILDERNESS AND 100 ACRES OF POTENTIAL WILDERNESS.

UNDER THE PROVISIONS OF H.R. 4083 OUR PROPOSED WILDERNESS UNITS 2 AND 3 ARE NOT DESIGNATED. BOTH AREAS ARE SUITABLE FOR WILDERNESS DESIGNATION TO THE SAME DEGREE AS UNIT 1 AND HAVE UNDERGONE CONSIDERABLE PUBLIC REVIEW AND COMMENT. WE RECOMMEND THAT THESE UNITS BE DESIGNATED AT THIS TIME.

THE HOUSE BILL WOULD ALSO DESIGNATE ADDITIONAL WILDERNESS ACREAGE WITHIN THE PARK ADJACENT TO THE GENERALS HIGHWAY AND IN THE VICINITY OF MORO ROCK. WE

ARE CONCERNED THAT ANY WILDERNESS BOUNDARY IN THIS LOCATION BE DRAWN IN SUCH A MANNER AS TO EXCLUDE FROM WILDERNESS ALL EXISTING AND PROPOSED DEVELOPMENT SITES IN THE VICINITY OF LODGEPOLE. WE RECOMMEND THAT ANY WILDERNESS BOUNDARY ADOPTED BY THE COMMITTEE EXCLUDE SUFFICIENT LAND TO INSURE THAT DEVELOPMENT WILL REMAIN UNAFFECTED.

THE THIRD ADDITION TO OUR WILDERNESS PROPOSAL BY THE HOUSE BILL IS IN THE CEDAR GROVE AREA. THE WILDERNESS BOUNDARY IN H.R. 4083 FOLLOWS THE BOTTOM OF THE CANYON WALL INSTEAD OF THE TOP AS INCLUDED IN OUR RECOMMENDATION. THIS CHANGE WOULD HAVE NO EFFECT UPON THE MANAGEMENT AND OPERATION OF THE PARK SO LONG AS THE LEGISLATION IS CLEAR THAT WHERE DEVELOPMENT WITHIN THE PARK GOES BEYOND THE 5,200 FOOT CONTOUR LINE, THE WILDERNESS BOUNDARY LINE SHALL AT THAT POINT BE THE NEXT 200 FOOT CONTOUR LINE HIGHER.

ALL OF THE LANDS PROPOSED FOR WILDERNESS WITHIN THE PARKS HAVE HISTORICALLY EXHIBITED WILDERNESS CHARACTER AND WILL CONTINUE TO OFFER SUPERB OPPORTUNITIES FOR WILDERNESS TYPE EXPERIENCES. THE ADOPTION OF OUR WILDERNESS RECOMMENDATION WILL NOT CHANGE THE MANAGEMENT, OPERATION, OR THE CURRENT PROGRAMS WITHIN THE PARKS.

OUR WILDERNESS RECOMMENDATION DOES NOT INCLUDE ANY SPECIFIC PROPOSAL FOR THE MINERAL KING VALLEY. IN 1980 A MANAGEMENT PLAN FOR THE VALLEY WAS SUBMITTED TO CONGRESS AS PROVIDED FOR IN PUBLIC LAW 95-625. WHILE THE MANAGEMENT PLAN IDENTIFIED LANDS HAVING WILDERNESS POTENTIAL AT MINERAL KING, PUBLIC HEARINGS AS PROVIDED UNDER THE WILDERNESS ACT HAVE NOT BEEN HELD. THUS WE ARE NOT IN A POSITION TO RECOMMEND ANY SPECIFIC WILDERNESS BOUNDARIES FOR THE MINERAL KING PORTION OF SEQUOIA NATIONAL PARK AT THIS TIME.

THE BACKCOUNTRY VISITOR USE DEVELOPMENTS AT BEARPAW MEADOW AND PEAR LAKE IN SEQUOIA NATIONAL PARK WOULD BE DESIGNATED AS POTENTIAL WILDERNESS ADDITIONS. IF A DECISION IS MADE AT SOME POINT IN THE FUTURE TO TERMINATE THE OPERATION OF THESE FACILITIES AND THE SITES RESTORED TO THEIR NATURAL STATE, THESE SITES WOULD BE DESIGNATED AS WILDERNESS.

THERE ARE NUMEROUS HYDROMETEROLOGICAL DEVICES THROUGHOUT THE PARKS WHICH ARE USED TO MEASURE SNOW DEPTHS AND THE WATER CONTENT OF THE SNOW PACK. THIS INFORMATION ADDS CRITICAL DATA CONCERNING THE WATER AVAILABILITY IN SOUTHERN CALIFORNIA. IT IS OUR INTENT TO MINIMIZE THE IMPACT OF THESE DEVICES IN THE FUTURE THROUGH IMPROVED TECHNOLOGY AS OPPORTUNITY PRESENTS ITSELF. THE EXISTENCE AND CONTINUED MAINTENANCE OF THESE FACILITIES IS COMPATIBLE WITH WILDERNESS MANAGEMENT. WHILE HELICOPTERS ARE USED IN SUPPORT OF THESE FACILITIES, THEY ARE CONSIDERED THE MINIMUM TOOL, AS REQUIRED BY THE WILDERNESS ACT. THUS WILDERNESS DESIGNATION WILL NOT PRECLUDE OR IMPACT THE CONTINUED OPERATION OF THIS PROGRAM.

IN ADDITION TO THE DESIGNATION OF WILDERNESS WITHIN THE PARKS, BOTH S. 1584 AND H.R. 4083 WOULD ADD APPROXIMATELY 12,000 ACRES TO KINGS CANYON NATIONAL PARK (JENNIE LAKES ADDITION). THESE LANDS HAVE NOT BEEN STUDIED FOR POSSIBLE ADDITION TO THE NATIONAL PARK SYSTEM AND ARE CURRENTLY MANAGED BY THE U.S. FOREST SERVICE. WE DEFER TO THE VIEWS OF THE FOREST SERVICE ON THIS ADDITION.

YOSEMITE NATIONAL PARK

YOSEMITE NATIONAL PARK WAS ESTABLISHED IN 1890 TO PROTECT THE BEAUTY OF YOSEMITE VALLEY, ITS GRANITE PEAKS AND DOMES, GROVES OF GIANT SEQUOIAS, LAKES AND WATERFALLS. IN ACCORDANCE WITH THE PROVISIONS OF THE WILDERNESS ACT THE PARK WAS STUDIED FOR ITS WILDERNESS POTENTIAL AND IN 1972 A RECOMMENDATION WAS MADE TO CONGRESS FOR THE DESIGNATION OF 646,700 ACRES AS WILDERNESS.

DURING THE PAST 9 YEARS A COMPREHENSIVE REVIEW OF THE YOSEMITE NATIONAL PARK GENERAL MANAGEMENT PLAN HAS BEEN IN PROGRESS, WHICH HAS INCLUDED A THOROUGH ANALYSIS OF EXISTING AND FUTURE USES AND DEVELOPMENT IN THE PARK AND THE WILDERNESS POTENTIAL OF THE AREA. THERE HAS ALSO BEEN CONSIDERABLE PUBLIC INPUT INTO THE PLANNING PROCESS WHICH WAS COMPLETED IN 1980. THIS REVIEW HAS LED TO A REVISED WILDERNESS RECOMMENDATION FOR THE PARK OF 678,500 ACRES. IN ADDITION, 3,500 ACRES WOULD BE DESIGNATED AS POTENTIAL WILDERNESS ADDITION. S. 1584 AND H.R. 4083 WOULD DESIGNATE 667,600 ACRES AS WILDERNESS AND 3,550 ACRES AS POTENTIAL WILDERNESS.

MUCH OF THE PROPOSED WILDERNESS IS ADJACENT TO AND COMPLEMENTS THE EXISTING EMIGRANT BASIN, HOOVER, AND MINARETS WILDERNESS AREAS ON NATIONAL FOREST LANDS. UNDER OUR RECOMMENDATION ALL EXISTING DEVELOPMENTS WHICH ARE NOT COMPATIBLE WITH WILDERNESS AND PROPOSED FACILITIES ARE EXCLUDED FROM WILDERNESS.

THERE ARE TWO MAJOR DIFFERENCES IN THE WILDERNESS AS PROPOSED IN THE PENDING BILLS AND OUR PROPOSAL. IN YOSEMITE VALLEY THE BILLS' WILDERNESS BOUNDARY IS DRAWN ALONG THE BOTTOM OF THE VALLEY WALLS, RATHER THAN THE TOP AS DESCRIBED IN OUR RECOMMENDATION. THERE WOULD BE NO IMPACTS UPON THE MANAGEMENT AND OPERATION OF THE PARK UNDER THE BILLS SO LONG AS THE LEGISLATION IS CLEAR THAT WHERE DEVELOPMENT WITHIN THE PARK GOES BEYOND THE 4,200 FOOT CONTOUR OR WHERE THE PRESENT HORSE TRAILS COME WITHIN 100 FEET OF THE 4,200 FOOT CONTOUR, THE WILDERNESS LINE SHALL BE, AT THAT POINT, THE NEXT 200 FOOT CONTOUR LINE HIGHER, OR 100 LATERAL FEET FROM THE TRAIL.

THE SECOND DIFFERENCE IS THE BILLS DESIGNATE MORE WILDERNESS IN THE VICINITY OF BADGER PASS AND INCLUDE POWER LINES WHICH LEAD TO THE PASS IN POTENTIAL WILDERNESS ADDITION. UNDER THE PROVISIONS OF THE GENERAL MANAGEMENT PLAN FOR THE PARK, THE BADGER PASS SKI DEVELOPMENT WOULD CONTINUE IN OPERATION, AT ITS EXISTING USE LEVEL. IT IS NOT KNOWN WHAT EFFECT, IF ANY, THE BILLS' WILDERNESS BOUNDARY WOULD HAVE ON THE EXISTING DEVELOPMENT. WE SUPPORT THE CONTINUED OPERATION OF THAT FACILITY AND RECOMMEND THAT ANY WILDERNESS BOUNDARY ADOPTED BY THE COMMITTEE BE DRAWN IN SUCH A MANNER THAT THE EXISTING FACILITIES WOULD NOT BE ADVERSELY AFFECTED.

THE ADOPTION OF OUR WILDERNESS RECOMMENDATION FOR THE PARK WILL NOT CHANGE THE EXISTING MANAGEMENT, OPERATION OR PROGRAMS WITHIN THE PARK.

S. 1584 AND H.R. 4083 WOULD ADD APPROXIMATELY 7,253 ACRES TO THE PARK IN TWO LOCATIONS: THE MOUNT RAYMOND ADDITION OF 7,000 ACRES AND THE CROCKER RIDGE ADDITION OF 253 ACRES. THE PROPOSED ADDITIONS AT MOUNT RAYMOND HAVE NOT BEEN STUDIED FOR ADDITION TO THE NATIONAL PARK SYSTEM AND WE ARE NOT ABLE TO SUPPORT THEIR ADDITION AT THIS TIME. WE DO RECOMMEND THE ADDITION OF 253 ACRES AT CROCKER RIDGE AS INCLUDED WITHIN THE GENERAL MANAGEMENT PLAN FOR THE PARK. THIS RECOMMENDED CHANGE WAS DEVELOPED IN THE COURSE OF THE MASTER PLANNING PROCESS AND HAS RECEIVED CONSIDERABLE STUDY AND PUBLIC INVOLVEMENT.

THE ADDITION OF 253 ACRES AT CROCKER RIDGE WOULD BRING THAT PORTION OF THE BIG OAK FLAT ROAD PRESENTLY WITHIN THE STANISLAUS NATIONAL FOREST INSIDE THE PARK BOUNDARY. THIS LOCATION IS ONE OF THE FOUR MAIN ENTRANCES TO THE PARK, AND THE PARK ENTRANCE STATION AND A PORTION OF THE ROAD ARE ON NATIONAL FOREST LANDS. UNDER THE PROVISIONS OF A 1963 MEMORANDUM OF UNDERSTANDING THE NATIONAL PARK SERVICE ADMINISTERS 691 ACRES OF FOREST SERVICE LANDS AT THIS LOCATION. WITH

THE ADOPTION OF THIS ADDITION, 438 ACRES WOULD BE RETURNED TO FOREST SERVICE MANAGEMENT.

THE BILLS ALSO DIRECT A TRANSFER OF 160 ACRES TO THE SECRETARY OF AGRICULTURE. THE NATIONAL PARK SERVICE CURRENTLY OWNS 160 ACRES OUTSIDE OF THE BOUNDARIES OF THE PARK IN THE VICINITY OF RAYMOND MOUNTAIN. THESE LANDS WERE ACQUIRED TO PROVIDE A SOURCE OF WATER TO MARIPOSA GROVE, AND WATER TRANSMISSION LINES CROSS THE AREA. WE SUPPORT THE PROVISION THAT THESE LANDS BE TRANSFERRED TO THE SIERRA NATIONAL FOREST AND CONTINUE TO BE USED IN SUPPORT OF PARK PROGRAMS.

MR. CHAIRMAN, WE RECOMMEND THE ADOPTION OF ONE MORE MINOR BOUNDARY MODIFICATION AT YOSEMITE: WE NOW OWN 185 ACRES OUTSIDE THE BOUNDARY WHICH IS USED AS ADMINISTRATIVE SUPPORT FOR BACK COUNTRY HORSE PATROLS. WE BOUGHT THE PROPERTY IN 1964 AS PART OF A LARGER PARCEL KNOWN AS THE McCAULEY RANCH. WE WANT TO CONTINUE TO USE IT FOR ADMINISTRATIVE PURPOSES, AND WE BELIEVE THE BOUNDARY SHOULD BE ADJUSTED TO INCLUDE IT.

WITH THE ADOPTION OF THESE BOUNDARY CHANGES, LAND OWNERSHIP AND MANAGEMENT WOULD BE CONSOLIDATED.

SEQUOIA, KINGS CANYON, AND YOSEMITE NATIONAL PARKS ARE THREE OF THE NATION'S OLDEST AND GREATEST PARK RESOURCES. THE DESIGNATION OF WILDERNESS WITHIN THESE UNITS AND THE ADOPTION OF THE MINOR BOUNDARY ADJUSTMENT AT YOSEMITE IS AN APPROPRIATE ACTION TO TAKE AT THIS TIME. WE URGE THE ADOPTION OF OUR RECOMMENDATIONS AND THE ENACTMENT OF THIS LEGISLATION.

WE WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU OR THE COMMITTEE MIGHT HAVE.

Senator **Wallop**. Thank you very much. I guess I find some contradiction in terms. I know that we have contradicted them in the past. I mean a park is a different concept to me and its there for many of the same purposes that wilderness is, but by the same token, as you know your fundamental job is not only to reserve but provide for the enjoyment of the American people. In some instances that seems to totally limit what the Park Service can do in the national park by way of fulfilling a full definition of the benefit.

I would be very skeptical of the additions to the national park wilderness for that reason. I believe the Park Service does a first class job in protecting the resources which they were entrusted with. I don't believe they are threatened. It's not the kind of threat that may be perceived in other areas of the public lands. I just would like to see you maintain the flexibility of management which does provide not only for the protection of both lands and water contained within them or on them, but as well the enjoyment of the American people.

Mr. Secretary, are we on the threshold of RARE III, not as a policy decision required by the administration, but as a result of actions that have taken place?

Mr. **Crowell**. The ninth circuit decision has effectively invalidated RARE II. If the process mandated by National Forest Management Act for doing forest planning is to be carried out, there is going to have to be some review of wilderness areas which can meet legal standards laid down by the court.

In the present time we do not propose to carry it out in the form of a RARE III, but we would propose to correct whatever deficiencies exist in the RARE II process by carrying out the land planning process aided by the National Forest Management Act.

Senator **Wallop**. How much time would be necessary to do that?

Mr. **Crowell**. Generally, we had planned that the process mandated by the National Forest Management Act would be completed by the end of 1984. The result is we are now estimating a 9- to 24-month delay to completion of that process in order to accommodate the further review of wilderness areas which is required as a result of ninth circuit decision.

Senator **Wallop**. In the meantime what happens to the management process on those acres?

Mr. **Crowell**. There will be considerable disruption in the current plans for carrying out operations on the areas particularly which were not recommended for wilderness by the RARE II process.

One of the reasons RARE II was accelerated and taken out of and put ahead of the National Forest Management Act planning process was to overcome the difficulty which had been experienced during the 1970's in reducing developmental activities, timber harvesting, mining, and recreation pursuits on areas which were roadless still. The hope was that RARE II would result in resolving issues about the roadless areas sooner than they might have otherwise been resolved by the planning process. As it turned out, unfortunately that's a vain hope and the efforts expended on RARE II seem to have been, at least in some part, wasted. I say in some part, not in total part, because we do expect a lot of what was done in RARE II will be useful in the planning process.

Senator WALLOP. It seems to me the distinctions which will not be borne out by the facts, and it is in fact a RARE III if you are forced into a review of all those. Will that be sufficient if you were to accomplish that, or would you have to in some manner join those studies with those already in existence, therefore delaying it even further?

Mr. CROWELL. The process as it would be carried out under the planning process would be somewhat different than it was under RARE II, because we would not be considering the wilderness areas in conjunction with all of the other activities in a given forest. The process would be carried out on a forest-by-forest basis. That was not the case with RARE II where the whole thing was done programmatically if you will.

One of the incidents of the ninth circuit decision is to indicate that where careful analyses of particular areas is required, that a programmatic impact statement probably is not feasible. We would not be taking that approach in order to resolve the question of wilderness areas which the ninth circuit case opposes.

Senator WALLOP. What challenge could be made after that?

Mr. CROWELL. The legal challenges then would be again based on presumably the claimed inadequacies of the environmental impact statement that would accompany each forest plan. We hope that the Forest Service will have developed the sufficient skill and will have been sufficiently warned about pitfalls to be able to carry out the environmental impact statement for each forest that will withstand new attack.

Senator WALLOP. It doesn't matter how skilled the Forest Service is. Each one is subject to challenge if somebody wishes to do that. Each plan comes into being as you begin to try to manage each forest. Whether or not a national group sees fit to do it, or local group affiliated, each forest as you begin to manage it would be subject to an individual challenge.

Mr. CROWELL. You are absolutely right, Mr. Chairman. They would be subject to challenges which I would hope would be withstood, and the ultimate result would be that after they worked their way through the process——

Senator WALLOP. But nonetheless, the courts in this country do not move——

Mr. CROWELL. Well, for that reason we are advocating that some legislation, some legislative vehicle be utilized for indicating that at least temporarily, if not permanently, that the roadless areas which were not recommended by RARE II should be freed from challenge so that we can continue to carry out the presently planned activities on those areas while we are doing the necessary planning, including the review of the wilderness areas which remain.

Senator WALLOP. These 41,000 acres involved how many landowners? I mean, just off the top of your head?

Mr. CROWELL. There is one major landowner involved in most of them, and my recollection is for one of the proposed wilderness areas which incorporates private land, we don't have an indication of how many private landowners there are. We can supply the details of that for you for the record.

I am advised, Mr. Chairman, about 35,000 of the 41,000 are Southern Pacific Land Co. and the other 6,000 acres we don't have a very good handle on at this point.

Senator **Wallop**. The thing that bothers me is you have an 82,000-acre withdrawal. You put 41,000 acres into wilderness and 41,000 acres adjacent to that wilderness in private lands and you have shrunk rather than enlarged public access to the great forests of this country.

I appreciate both of your testimonies here this morning. I understand some of the problems. I do understand as well that the problems that were identified with the landholds in Shasta have largely been resolved.

Mr. **Crowell**. In the proposed Mount Shasta Wilderness Area?

Senator **Wallop**. In terms of the private lands exchange.

Mr. **Crowell**. Oh, yes. In fact, just in the last few weeks we completed a land exchange with Southern Pacific Land Co. involving about 9,000 acres.

Senator **Wallop**. Would you have somebody supply for the committee's records the exact status if there are more lands that have to be exchanged?

Mr. **Crowell**. We will be pleased to do that.

[The information follows:]

The following is the status of exchange activity in the four mandated land exchange areas included in H.R. 4083 and S. 1584.

Mt. Shasta.—Forest Service recently completed a 8,899-acre exchange with Southern Pacific Land Company (11/30/82). Approximately 5,000 acres of private land remain within S. 1584 boundary and approximately 1,000 acres within administration recommendation. Negotiations are in the progress.

Granite Chief.—6,000 acres. All Southern Pacific Land Company. Negotiation initiated and believe an exchange is possible.

Castle Grags.—2,400 acres. Ownership unknown and no exchange proposals.

Trinity Alps.—27,600 acres. All Southern Pacific Land Company. Active negotiations within long-range exchange agreement.

	Acres (S. 1584)
Mt. Shasta	5,000
Granite Chief	6,000
Castle Grags	2,400
Trinity Alps	27,600
Total	41,000

Senator **Wallop**. Thank you. The next witness is Dr. Bernard Shanks, California Resources Agency.

STATEMENT OF DR. BERNARD SHANKS, CALIFORNIA RESOURCES AGENCY

Dr. **Shanks**. Mr. Chairman, I'm Bernard Shanks representing the State of California, and specifically the California Resources Agency. We very much appreciate you holding these hearings and of course the State of California strongly supports Senator Cranston's wilderness bill, S. 1584.

We feel that it is vital that the Senate act and resolve these many conflicts over wilderness in California. This legislation, as you know, has passed twice in the House of Representatives, and it's been subject to many field hearings in California meetings. The bill before you is already a product of many years of study and certainly considerable compromise.

California Resources Agency has been deeply involved with this issue, and it has participated in meetings and discussions which eliminated mineral lands, prime timber lands, water development sites, and at least two ski areas from wilderness designation. The areas in this bill, some 2.1 million acres of national forest land represent the wilderness heart of California. I think it's important to note that California is a very unique Western State. It has twice as many people as the entire other Western States combined. In fact, three of southern California counties have a population equal to all the Western States combined. So the pressure on the public lands in California and wilderness lands is very intense. The idea of wilderness recreation and wilderness opportunities is very important to many people in California. I think it's important to note also that the *California* v. *Bergland* lawsuit challenged the Forest Service for several reasons, one of which was economic analysis in RARE II. They essentially only looked at one side of the economic equation, the resources lost by wilderness classification. In California especially there are considerable economic benefits that accrue from wilderness designation in terms of outfitters, guides, and various forms of outdoor recreation activities that take place in the wilderness. The ninth circuit court recently upheld the California compliant on that bias analysis, and yet we continue to hear again today essentially that one-sided argument.

I think the major conflict that is before us today is that the issue needs to be resolved by the Senate. It's true that the conflicts will go on for many years, and the fact that the ninth circuit court upheld California is evidence that the Forest Service did not do a fair and honest job. They did not comply with the law.

Until the Senate acts, we have tied up over a million acres of national forest land by this lawsuit and the decision hangs over other States as well.

I would like to reiterate that S. 1584 is a compromise. It resolves many of the conflicts, and it opens many of the marginal areas for multiple use, and it would settle the California lawsuit. Further delay would only continue the problem. Thank you.

[The prepared statement of Dr. Shanks follows:]

Statement of
Dr. Bernard Shanks
California Resources Agency

for
Subcommittee on Public Lands and Reserved Water
Senator Malcolm Wallop, Chairman

December 15, 1982

The State of California strongly supports Senator Cranston's California Wilderness bill (S. 1584). It is vital that the Senate act and resolve the conflicts over wilderness in California. The legislation proposed has passed twice in the House of Representatives. The subject of wilderness in California has been the subject of many hearings, meetings and the bill before you is the product of years of study and compromise.

The California Resources Agency has been deeply involved with this issue and has participated in meetings and discussions which eliminated minerals lands, prime timber lands water development sites and ski areas from wilderness designation. The areas in the bill, some 2.1 million acres of national forest land represent the wilderness heart of California. It is important to a state with 24 million people, many who enjoy an active outdoor lifestyle, that areas be protected from development and urbanization.

Many do not realize the heavy pressure on California public lands. The state has twice as many people as all the rest of the western states combined. Yet the national forest wilderness proposal is only 2 percent of the total state land and the national park wilderness another 1.5 percent. A urbanized state like California requires more recreation land and space than a sparsely populated state.

The major roadblock to the lifting of restrictions on the remaining Forest Service roadless lands is the U.S. Senate. The California RARE - II lawsuit was recently strongly upheld by the Ninth Circuit Court. The Forest Service failed to comply with the law in the RARE - II process. Until the Senate acts over a million acres of forest land are tied up by the lawsuit and the decision hangs over other states as well. S. 1584 was a compromise that resolved conflicts, opened questionable areas to multiple use and settled the California lawsuit. Further delays only continue the problems.

Senator WALLOP. What is the compromise with?

Dr. SHANKS. In negotiations there are additional 5.1 million acres.

Senator WALLOP. Negotiations with whom?

Dr. SHANKS. With different environmental groups, with logging companies, with ski area developers, mining corporations. There is a lot of study and discussion and compromise made in California to come up with the House version of the bill.

Senator WALLOP. Would it be your best guess that this compromise was satisfactory to the user groups?

Dr. SHANKS. I don't think the compromise is satisfactory to any one group. All groups, the environmentalists, the State of California, everyone gave some compromise.

Senator WALLOP. Is it your position that guides and outfitters can only operate on wilderness?

Dr. SHANKS. No. They can obviously operate in national parks and back country areas, but wilderness has a certain attraction and they are assured protection of their business in the wilderness area.

Senator WALLOP. I come from that profession and I believe that it's possible, quite comfortably, efficiently, to operate on the national forest lands that lay outside these parameters for those who don't operate in the national park for those purposes.

The figure that you give is totally worthless. It represents only 2 percent of the total State lands. Obviously any significant portion of the total State land is not available to the public in the first place, so if a significantly higher percentage of the public, publicly available lands, what would that percentage be?

Dr. SHANKS. It's about 47 percent, 48 percent of the California public lands. So the total public landownership would be something over 4 percent, but less than 5 percent.

California is the third largest public landowning State in the country.

Senator WALLOP. So that figure is now that the public has some form of access to 53 percent of the land in California?

Dr. SHANKS. About 53 percent of the land in California is privately owned; 47, 48 percent is publicly owned.

Senator WALLOP. So this is a pretty significant chunck of what is now available to the public in this wilderness proposal?

Dr. SHANKS. It's 4 or 5 percent of that total.

Senator WALLOP. Do you quarrel with the statements of the Forest Service about the jobs lost?

Dr. SHANKS. Yes, we do, because we feel there are jobs created by wilderness designation, and specifically that issues were addressed both in the district court ruling and the ninth circuit court ruling, and they concurred with the State of California and discredited the economic analysis of the Forest Service for being onesided.

Senator WALLOP. Thank you very much.

Next is a panel of Dick Reid, vice president, Western Timber Association; Ed Wren, Southwest Forest Industries; and Glen Duysen, Sierra Forest Products.

STATEMENT OF RICHARD REID, VICE PRESIDENT, INFORMATION AND ENVIRONMENT, WESTERN TIMBER ASSOCIATION

Mr. REID. I have a detailed statement, but I will submit it for the record and I'll supplement some remarks here. Also with me are Glen Duysen, Sierra Forest Products in the Southern Sierra Nevadas which are totally dependent on national forest timber; and also Mr. Ed Wren of the Southwest Forest Industries which is a large company with mills in northern California.

In addition, I have submitted for the record statements from the American Forest Products Co., who is a major operator in the Sierras; and Hi-Ridge Lumber Co., a small company depending on national forest timber in northern California.

So you can see our association represents all sides of the companies that buy national forest timber in California, and we strongly oppose both H.R. 4083 passed by the House, and its counterpart, S. 1584, because it will greatly hurt the economic problems faced by our industry in the long term.

Contrary to some earlier testimony, we don't believe that these bills are the results of any kind of compromise actions. If they were, we weren't part of that.

According to Forest Service data which we've heard, enactment of this bill would reduce our long-term timber production in California by 137 million board feet annually forever. Upon further examination, we find that about 6 percent of this impact would be felt in five counties dependent on three national forests in northwestern California. This is an area that already has experienced about 2,000 to 3,000 people unemployed because of the expansion of the Redwood National Park. Furthermore, it would draw more land from timber production in the Southern Sierra Nevada where most of the public land already is in national parks or Federal wilderness areas.

So, in short, enactment of these bills is not in the Nation's interest we believe. It will cost the public treasury to acquire the public lands involved. It will also cost in terms of less productive capacity and in long-term returns from local governments for schools and roads.

Now this is not to say that we oppose any more wilderness additions from the national forests in California. We believe there are many areas that qualify and we believe the Forest Service RARE II study identified them, despite its procedural shortcomings.

Consequently, we wish the administration's recommendations be implemented along with the full service decision regarding wilderness and nonwilderness recommendations resulting from RARE II.

Mr. Wren will have some more detail in some of the areas specifically that they are concerned with.

[The prepared statements submitted by Mr. Reid follow:]

MIMEO
#10749

WESTERN TIMBER ASSOCIATION

211 SUTTER STREET, SAN FRANCISCO, CALIFORNIA 94108

FILE
2.67283

December 14
1982

**Statement of Western Timber Association on S. 1584 and H.R.4083 to the Subcommittee on Public Lands and Reserved Water, U.S.Senate, December 15, 1982
Washington, D. C.**

I am Richard Reid, Vice President for Information and Environment with Western Timber Association in San Francisco, California. Western Timber Association is an organization of forest product manufacturing firms that depend on the National Forests of California for their raw material supplies. The association members process approximately 90% of the National Forest timber sold in California.

The Wilderness proposals in both of these bills are the same ones which have been around since 1979. At that time we felt that the Wilderness allocations would require unreasonable sacrifices by the people of California, and there is no reason to believe anything has changed. We must continue to oppose this legislation.

While potential timber supplies would be severely affected by this legislation, other resource uses also would be restricted. According to Forest Service data, these additional impacts would occur as follows.

Recreation

The development of six inventoried winter sports areas and the use of 600,000 acres for ORV activities will be foregone. This would mean that capacity for about 14,700 skiers at one time would not be available. The 32 ski areas now on National Forest land in the Pacific Southwest Region have a capacity of about 75,000 skiers at one time. The 600,000 acres lost to ORV use represents 8% of the area currently open for this use.

Livestock Grazing

Even with the special language concerning grazing in the conference report on the Central Idaho Wilderness Act, opportunities for intensive grazing practices will be lost under this legislation. In the Pacific Southwest Region, 10,000 animal unit months of potential forage are lost for each one million acres of classified Wilderness. The falldown results from extensive grazing in Wilderness to comply with Wilderness management requirements instead of intensive grazing possible in multiple-use areas outside Wilderness. There are grazing allotments on most of the areas to be classified as Wilderness under these bills.

Wildlife and Fish Habitat

A total of 81,000 acres of improved wildlife and fish habitat will be foregone under these bills. This is 28% more than would be affected under the Reagan Administration's recommendations and is 4% of the total acreage in the bills.

Fire Management

Fire management operations on 850,000 acres in these bills will be affected by limitations on roads, helispots and fuels management programs. The

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greatest impact will be in southern California where the chaparral areas included in the bill are burned over frequently by large fires. Areas of hazardous fuels are next to heavily populated residential areas. The limitations imposed by Wilderness designation will cause an increased threat to these homes.

Minerals

Five areas in the bill totalling 212,200 acres have been identified as having a high potential for minerals and seven areas of 166,800 acres have been identified as having a moderate potential for minerals. Included are gold, uranium, silver, copper, tungsten, manganese, chromite, and molybdenum.

Timber

Timber is by far affected the greatest by these bills. Long term timber production would be reduced permanently statewide by 131.6 million board feet annually. Over 60% of this impact would occur on the Six Rivers, Klamath, and Shasta-Trinity National Forests. In addition, there would be disruptions in timber sale planning which in turn would make it impossible for companies to know there their raw material will come from or what it would cost. The National Forest Management Act planning now going on would be set back many months.

Timber sale preparation is an important element of a sustained yield timber management program. It takes a minimum of five years to prepare and sell a single timber sale. Once a sale is deleted from the five year timber sale program, it takes another five years to prepare a sale in an alternate location, if one is available. So it is not simply a matter of replacing volume lost from the program with new sales in another area of the forest.

Economic Impacts

The greatest economic impacts would occur primarily in communities in northwestern California with additional effects in the southern Sierra Nevada. These effects occur principally from the reduction of timber availability in both the short and long term. Long term effects will be aggravated through grazing impacts and the loss of developable mineral deposits and ski areas.

The economic impacts which would result from enactment of these bills would add to those already felt from the slow economy and restrictions due to consideration of threatened and endangered species, archeological and cultural resources, fish and wildlife habitat, visual resources, unstable lands, prior Wilderness recommendations, restrictions on the use of herbicides, and the creation and expansion of Redwood National Park. The effects of some of these constraints are subtle and cannot be documented; however, to date over 2,000 people have lost their jobs because of the expansion of Redwood National Park. Passage of these bills would make it all the more difficult for the economy of the North Coast to recover.

It is estimated that 2,600 more jobs would be lost in Del Norte, Humboldt, Trinity, Shasta, and Siskiyou Counties over the next five years if this legislation is enacted. Returns to those five counties from timber sale receipts over the next five years would be reduced by $4.7 million, and

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receipts to the federal treasury would be reduced by $19 million. These data are based on 1982 market conditions and therefore are extremely conservative. Any improvement in market conditions would increase these figures substantially.

Passage of these bills would contribute to the economic ills of northern California and the nation at the precise time that the people are demanding that the economic situation be improved.

Community Impacts

Wilderness additions under both bills would affect the diversity of local recreational opportunities, the availability of firewood, road access for subsistence hunting and other benefits to residents of mountain communities. The exact extent of these effects can be determined only at the individual National Forest level, and even then they may not be immediately apparent. However, northwestern California and the southern Sierra Nevada would be affected the greatest simply because Wilderness areas are concentraded in those parts of the state.

Consumer Impacts

Some 5,000 consumer products are derived directly or indirectly from wood processing. These include such items as plastic eyeglass frames, fabrics, dinnerware, and drugs to control hypertension. Our lifestyles are tied as closely to the forest as they are to the oil well, but we control our own destiny in our forests. Reductions in forest productivity such as would occur under these bills will increase costs to all consumers, not just home builders.

Release Language

The so-called sufficiency language in S. 1584 and H. R. 4083 does not adequately provide the long term stability needed to manage a forest properly. In addition to finding that the RARE II environmental impact statement is adequate, any legislation should should provide that the areas recommended for uses other than Wilderness through RARE II should never again be reviewed for possible classification by the Forest Service. Currently in California, 1,045.3 million board feet of timber is planned for sale from these areas over the next five years. Assurances are needed that these sales and other projects contemplated under land management plans will go forward in the public interest. History has shown that the Forest Service is reluctant to enter these areas as long as uncertainty prevails.

Recommendations

Neither S. 1584 nor H. R. 4083 should be passed in their present forms because of the direct and indirect costs it imposes on society. We recommend that these bills be amended to reflect the professional recommendations of RARE II as put forth by the Administration and to strengthen the release language to provide permanent release of the areas recommended for nonwilderness uses.

These changes will reduce substantially the impact on timber production, recreational use, grazing, and mineral production. With them, the adverse impacts on the economy which would result from enactment of S.1584 and H.R.4083 would be mitigated substantially yet adequate Wilderness additions could occur in California

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COMPARING H.R.4083 AND S.1584 AND THE ADMINISTRATION POSITION ON CALIFORNIA WILDERNESS DESIGNATIONS

S. 1584 H.R.4083		Administration
1,997,552	National Forest Acres	1,193,342
32,840	BLM Acres	-0-
2,030,392	Total Acres Public Land	1,193,342
$ 44.5 million (1)	Est. cost to acquire pvt. land (1977 Dollars)	$ 16.5 million (1)
131.6	Potential Yield Lost (million board feet)	59.6
4,000	Est. jobs lost	1,800
$ 1.6 million	Est.Loss in Forest Reserve Fund revenues to counties	$ .75 million
$6.7 million	Est. Loss of Federal revenue	$ 3 million
212,000	Acres high mineral or energy potential	195,000
8,260.7	Developed Recreation Potential Lost (1000 visitor days)	124.9

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*USDA, Forest Service data

(1) Does not include costs for 1974 Trinity Alps proposal or Mt. Shasta RARE II recommendation.

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American Forest Products Company

South Sierra Division
57839 Road 225
P.O. Box 338
North Fork, CA 93643
Tel (209) 877-2211

December 9, 1982

Hon. Malcolm Wallop, Chairman
Sub-Committee on Public Lands & Res. Water
United States Senate
Washington D.C. 20510

Dear Senator:

Please accept these remarks and the attached information into the record of the current hearing on Senate Bill #1584 (Cranston) The California Wilderness Bill, also known as HR 4083 (Burton).

I represent American Forest Products Company, a firm operating in the central and southern Sierra Nevada Mountains of California, and providing lumber for housing,furniture, agricultrual boxes and other uses in the San Joaquin Valley areas and elswhere. We are almost 100% dependent on the National Forests for our raw materials in the Southern Sierras and find that the pending bill would seriously affect the timber supply in this area, as well as deprive citizens of other products and services that are in demand. As Chairman of FORMPOC, I am forwarding views of a committee of the principal lumber producers in this area that would be affected adversely from this withdrawal of productive timberlands from our managed forests into classification as Wilderness, which provides for very little use and is otherwise non-productive.

In the South Sierras, where National Park Wilderness and existing National Forest Wilderness occupy an inordinate proportion of the land, we must retain productive lands for the general publics use and avoid allocations to single-use. The attached Exhibit #1 was prepared for discussions on a previous California Wilderness Bill that failed, and shows dramatically just how much of our land is already in Wilderness, and what this bill would do to our land base. Note that the Exhibit included all Forests between the Tahoe and the Sequoia. The Sierra National Forest lies in the heart of the Southern Sierras, and the attached Exhibit #2 shows how this Forest is embraced by vast stretches of existing wilderness within the Yosemite and Kings Canyon/Sequoia National Parks and the Sierra crestline John Muir Wilderness of the Sierra and Inyo National Forests. One third of the Sierra National Forest is already designated as Wilderness; 324,800 ac. out of a gross 1.2 million ac. is gone! The remainder is not all timberland; indeed only something less than 400,000 ac. are included in the Capable/Available/Suitable land base in the current planning process under RPA. From these 400,000 acres, out timber supply must be developed, in harmony with the other resource uses, using appropriate silviculture programs. The Cranston/Burton bill would take another 221,000 ac. into Wilderness! Included would be large segments of productive timberlands, and it is these that we must retain. It will be wrong to waste natural resources properly belonging to all of the people on a very narrow and selfish use.

Within the Sierra National Forest are two aprticular areas that are important and which can be used as prime expamples of our concern. Niether of these has an abundance of quality wilderness attributes, and - on the contrary - each of these does support substantial and productive timber stands. On the next page we describe the "Pincushion" and "Rancheria" Areas, and Exhibits #3, 4 and 5 provide commentary from some who have scientific expertise on the areas.

DESCRIPTION OF TWO IMPORTANT AREAS WITHIN THE SIERRA NATIONAL FOREST:

PINCUSHION: 20,000 gross acres, includes some 12,000 acres of good timberlands. Soils are 75% good to moderate site and definitely Forest Soils. These can be referenced in detail on the attached Geological Survey Soils Map (Exhibit #6) which covers that portion of the Pincushion lieing within Fresno County only. Another 15 % or so lies to the west in Madera County and consists of similar high sites in the same proportion. Terrain in the Pincushion is moderate, and general access, though not easy, can be provided without undue adverse effects on environmental and cultural resources.

Timber stands are of two basic types: (1) Jeffrey Pine with a mixture of White Fir, and (2) True Fir with some Lodgepole and White Pines in the higher elevations. Quality of these stands is good, though insect losses are high and could be reduced through appropriate management techniques. Growth rate is good, showing none of the rain-shadow or semi-desert effects claimed by wilderness proponents. There is an understory of advance reproduction throughout most of the Pincushion, which aptly demonstrates the area's ability to provide a renewable timber harvest in normal rotation periods.

Along the higher crest portions of the Pincushion Peak, Saddle Peak and Twin Mdws. areas, generally easterly on a map, lies a segment that consists of lesser soil productivity due to extensive glacial remnant shallow soils and patch timber. It is this portion of the Pincushion Area that can be considered for its possible wilderness characteristics and for addition to the adjacent John Muir Wilderness.

If the Pincushion now as a whole became Wilderness, there would be a loss of 10 million board feet annually from the Potential Yield of the Sierra National Forest, as well as lost opportunities for multiple-use.

RANCHERIA: 13,000 gross acres, of which most is timbered. The stand is very heavy and consists principally of True Firs with minor amounts of Lodgepole and Jeffrey Pines throughout, and with Red Fir and Lodgepole dominating in the higher levels, sometimes termed the "crest zone". Terrain is not too difficult, save on certain ridges, and is moderate for the most part in the timberlands. Primary access is already there from both the west and south boundaries of this "roadless area". Grazing, fishing, "off-road" vehicle travel, packing and hiking are activities current in the Rancheria, but more intensive development would provide even better access to the John Muir Wilderness's Crown Valley and the upper Monarch domains.

Decadent timber stands abound, since the soils are obviously capable of producing a high yield of timber, application of sound silvicultural principles through periodic sanitation and regeneration harvest would restore this prospectively bountiful area. Grazing could be improved, wildlife enhancement projects would be vastly more possible and many other improvements for better use would ensue.

Senate Bill 1584 includes a very difficult boundary line between the Wilderness and the general forest in the lower levels. While attempting to include some examples of special geology and timber types in Wilderness, it actually traps a vast and viable stand of timber that is flourishing, and at the same does not add to the quality of wilderness. Better that the line remain along the "crest zone as orignally suggested by the Forest Service. Otherwise, the timber yield of the Rancheria would drop from 7 million board feet annually to about 3½ m., a sheer waste of natural resources.

The foregoing description of the Pincushion and Rancheria Areas is a true prtrayal of the opportunities at hand and opportunities that would be lost should they be include in Wilderness. There are other minor areas that might also be lost in the same manner under the bill, and though the timber volumes involved are less, there are other multiple-use values at stake that should be carefully considered. In all if the Cranston/Burton bill is passed without amendment as to the Sierra National Forest Areas alone, there would be a drop of about 20 million board feet of annual Potential Yield. While some minor exception could conceivably be qualified for inclusion in the Wilderness, we believe that the original Administration recommendation, based on Forest Service studies, and as set forth in HR 5586 (Biz Johnson), and mentioned in Exhibit #1 hereto attached, should suffice to properly allocate land use under RARE II in California.

The attached comments from interested and eminently qualified scientists (Puhn, Zinke and Nelson) result from long experience in these areas and actual study of portions of the Pincushion. Additionally, Congressman Chip Pashayan, in whose district the Pincushion now lies, took the time to make the trek through the Pincushion during the last recess of Congress in August 1982, and he is well-advised and knowledgable about the real facts on the ground and the real values involved. His further comments would be worthwhile for your Sub-Committee to consider.

Several of the South Sierra vicinity Counties of California, Chambers of Commerce, and other Associations concerned with economic stability and land-use allocation, have addressed our problems with the Timber Supply, and with RARE II, and have called for "No additional wilderness in the Southern Sierras", or approving the recommended additions studied intensly by the Forest Service, the agency that has made the in-depth and detailed investigations necessary to these decisions. These respondents have recognized the basic problem as being one of de facto withdrawal of the land base acres, whether that be in total as in Wilderness designation, or as a reflection of environmental restrictions and exclusions that inordinately impinge upon the capabilities of our lands to produce. These artificial restraints when practiced to the limit can decimate the economic bas of our communities and the people that depend on making their living and who desire to live on the land in and adjacent to the National Forest.

We would be pleased to answer any questions that may arise from the Committee or the Staff as these discussions proceed. Thank you for your attention.

Yours very truly,

H. C. Abraham

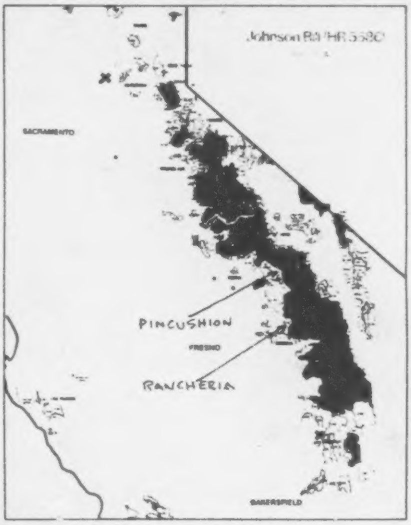
H. C. Abraham
Chief Forester
Reg.Professional Forester #203

cc: Hon Alan Cranston
Hon. Chip Pashayan
W. H. Kuphaldt
Members FORMPOC (Forest Management Planning Overview Committee)
(Observing development of the Sierra National)
(Forest Land & Resource Management Plan - RPA)

Attachments: Exhibits #1 to #6

EXHIBIT #1

EXISTING WILDERNESS, ADMINISTRATIVELY ENDORSED,* AND THE JOHNSON BILL H.R. 5586

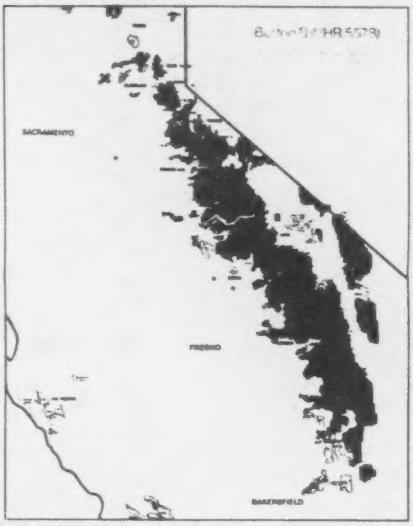


3,145,000 Total Acres

The Johnson bill (H.R. 5586) would increase the acreage of existing Wilderness and administratively endorsed areas by about 480,000 acres. The total amount of designated Wilderness would be 3,145,000 acres, representing about 36% of the combined National Forests and National Park acreage in the region.

H.R. 5586 would reduce the potential yield in the five National Forests by 6.6 million board feet per year. The socio-economic impact would result in the loss of 66 primary industry jobs, and a revenue loss to counties of over $230,000 per year from 25% receipts and yield taxes. This annual loss of 6.6 million board feet of timber added to Wilderness would normally supply wood products for the construction of 600 new homes annually.

EXISTING WILDERNESS, ADMINISTRATIVELY ENDORSED,* AND THE BURTON BILL H.R. 5578



4,881,000 Total Acres

The Burton bill would increase total Wilderness by more than 2,216,000 acres. Over 4½ times more acreage than proposed by H.R. 5586. Total Wilderness would be 4,881,000 acres, about 56% of the combined National Forests and National Park acreage in the area.

H.R. 5578 would reduce the potential yield of the 5 National Forests by 81.8 million board feet, enough timber for wood products to build 7,300 new homes annually. It would also result in the loss of 818 primary industry jobs. For each primary industry job lost, another 2 in support service jobs are lost. County revenues would decrease by over $3,650,000 a year.

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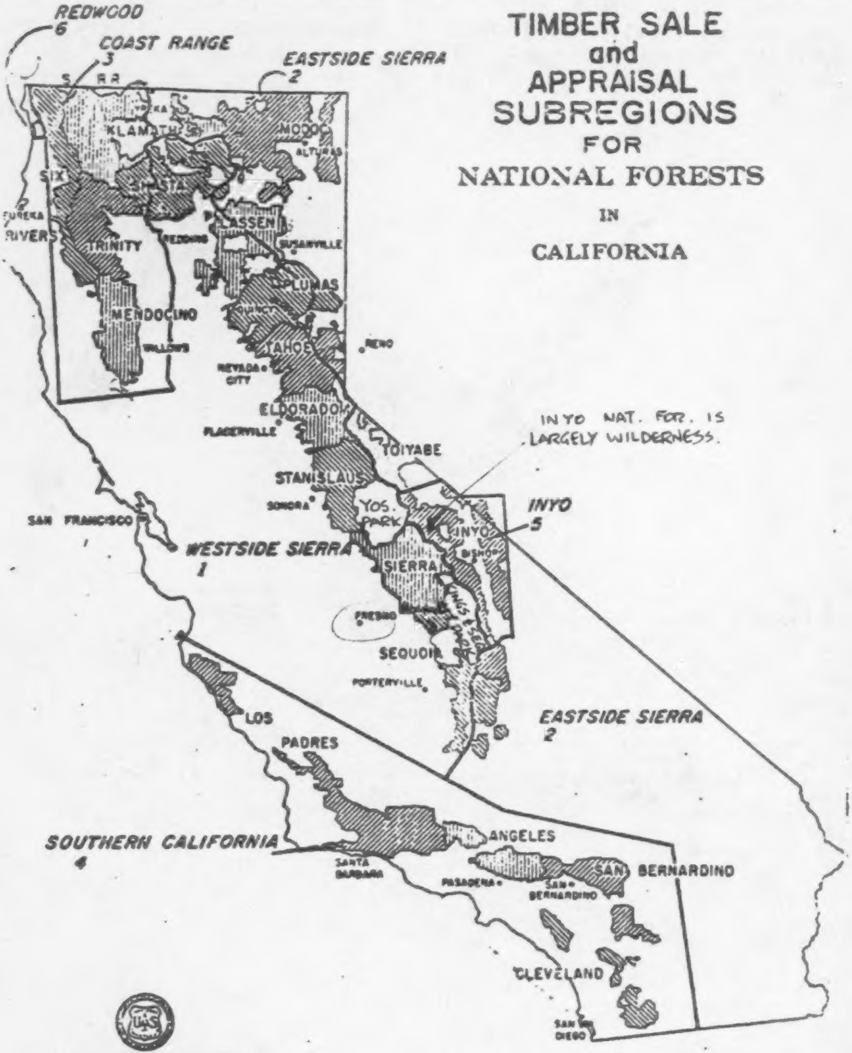
EXHIBIT # 2

TIMBER SALE and APPRAISAL SUBREGIONS FOR NATIONAL FORESTS IN CALIFORNIA


REDWOOD
6
COAST RANGE
3
EASTSIDE SIERRA
2
S
R R
KLAMATH
MODOC
ALTURAS
SIX
RIVERS
EUREKA
SHASTA
LASSEN
SUSANVILLE
REDDING
TRINITY
PLUMAS
QUINCY
MENDOCINO
WILLOWS
TAHOE
RENO
NEVADA CITY
ELDORADO
PLACERVILLE
TOIYABE
STANISLAUS
SONORA
YOS. PARK
INYO
5
BISHOP
SAN FRANCISCO
WESTSIDE SIERRA
1
SIERRA
FRESNO
INYO SEQUOIA
SEQUOIA
PORTERVILLE
EASTSIDE SIERRA
2
LOS
PADRES
SOUTHERN CALIFORNIA
4
SANTA BARBARA
ANGELES
PASADENA
SAN BERNARDINO
SAN BERNARDINO
CLEVELAND
SAN DIEGO

INYO NAT. FOR. IS LARGELY WILDERNESS.

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CALIFORNIA REGION

☐ SURROUNDING WILDERNESS

[illegible]

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EXHIBIT #3

Walter J. Puhn
3025 N. Farris Avenue
Fresno, California 93704
July 11, 1982

Hank Abraham, Chairman
Forest Management Planning Overview Committee
P. O. Box 338
North Fork, California 93643

Dear Hank:

What a great pleasure it was for me to revisit the Pincushion area thanks to you and FORMPOC. I had not been in this interesting and varied part of the Sierra since my retirement. I am quiteinterested in what its future might be under the proposals of the Sierra National Forest Resource Management Plan.

Much can be said about the prime timber growing areas of Pincushion and the values for wilderness use, but I will leave that to you and others who are doing a good job of it. What I would like to point out is my concern for other national forest users who are increasingly being restricted in the kind of areas they wish to use and enjoy, and especially those who are unaware or ill-informed of the issues that will affect them in the years ahead. I am thinking of the campers and picnickers,the hunters and fishermen, the elderly and handicapped, the families with children, the wood cutters and the others who want to reach the areas they desire by means other than by horse or backpacking. They are, of course, the majority of national forest users and will always remain so. Their future needs for uncrowded areas should be strongly considered in forest plans. I see Pincushion as one of the areas to be so considered--a desirable reservoir that will be needed some day for expansion and dispersal to accomodate the ever growing number of users. Take a look of a map showing the existing and proposed wildernesses in the Central Sierra and you will see what I mean. It shows a chain of national forest and national park wildernesses, existing and proposed, broken only by a few highway corridors extending to the Lake Tahoe Basin to the north and to Walker Pass to the south, a total distance of nearly 260 miles. Should this come about, there will surely be a scarcity of suitable and desireable lands for for the non-wilderness users. What further concerns me is the preservationists and the timber industry abetted by the media causing the general public to think of the issues being a timber versus conservation battle when there is so much, much more involved.

To conclude briefly on some other observations:

We saw only one deer on the trip. Pincushion was a noted hunting area when I came on the Forest 25 years ago, but has declined drastically since. There is opportunity

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EXHIBIT #3 (CONT.)

to improve the herd as well as benefiting other wildlife through management, most measures of which would be prohibited by wilderness restrictions. Much of the same problems apply to the livestock grazing.

Among the several people using the area, we saw no [illegible] backpackers. The vehicles parked at Onion Springs and elsewhere were undoubtedly the cars of backpackers making their way to the John Muir Wilderness. Again. some of the wilderness proposals would restrict or prohibit such current use made of the area.

The above and for other beneficial uses, existing and potential, I belive it wise and very much in the public interest to adhere to the present boundary of the John Muir Wilderness which was established in 1964 and which gained the full approval of the people giving testimony including recreationists, timber industry, 4-wheel drive clubs, Sierra Club, chambers of commerce and so on. If any extension of wilderness must be made, I would not want it to go beyond the proposal of Alternate 5 of the Resource Management Plan and trust a discernable and logical boundary could be found.

Sincerely,

Walt

Walter J. Puhn

Note: Mr. Puhn was Supervisor of the SIERRA NATIONAL FOREST in the 1950s and 1960s during which period original wilderness areas were classified - and designated.

EXHIBIT #4

July 10,1982

Memo: To Henry Abraham
American Forest Products Industries
North Fork, California

From Dr. Paul J. Zinke

The following conclusions are the result of observations I made on the field trip to the Medley Mine in the Pincushion Area on July 1, 1982. They concern mainly the soil productivity for timber growth in the area.

1 A road extends from Lake Edison to the Medley Mine through the center of the area concerned. Along this road, there was a permanent cattle camp with a substantial new wooden house, and a U.S.Forest Service Guard Station is located at Heitz Meadow.

2 There is a mile wide belt of commercial site quality timber in the zone traversed by this road. The soil series classifications, and the vegetation species present as well as the site quality classes or soil productivity classes for commercial forest trees are described for the area in Quadrangles 90A1 and 90A2 of the California Cooperative Soil Vegetation Survey.

3 The soils of this commercial timber belt are formed from four major soil parent materials: typical Sierran granites, basalts on the west slope of Pincushion Peak, and from glacial moraine deposits and local alluvium.

4 The most productive timber sites are on deep soils derived from alluvial deposits. They are classified as Site I (5 on Soil-Veg map), and have mature trees that are 175'tall. The larger proportion of the area has good sites rated as Site II (4 on the Soil-Veg map), characterized by four-five foot deep soils of the Corbett Soil series (derived from granite), the Sharktooth and Pincushion series (derived from basalt flows), and the Dinkey soil Series (derived from glacial moraine deposits). These good sites make up approximately half the area. Still commercial, but poorer site class III & IV sites (class 2 & 3 on Soil-Veg map), are on shallower or more stony phases of the above soil series and also on the Heitz and the Chiquito Soil Series (very shallow sandy soils derived from granitic rocks). These poorer sites make up about 1/4 of the area. Non Commercial timber producing areas occur west of the area investigated parallel to the South Fork of the San Joaquin River. Here glaciation eroded away earlier soils and barren rock surfaces were left. Also non commercial timber areas bound the area on the east occuring at higher elevations along the ridge from Pincushion Peak to Sharktooth Peak.

5 The timber crop trees of the commercial timberland sites in the area are usually a mixture of large Jeffrey pines and white-firs, with red-fir and some western white pine at higher elevations. There is a considerable advanced regeneration of young commercial

EXHIBIT #4 (CONT)

conifers on the better sites. This is invaluable as the next commercial forest generation after timber harvest in the area. However some of the poorer sites have very sparse stocking of young growth and may represent a regeneration problem after timber harvest.

6 The area generally faces toward the west, and slopes are hot during the afternoon. There are long distances of hot featureless slope in this area which will be avoided by most knowledgeable back packers who usually head for higher, cooler, and more scenic country to the east of this area.

7 Most of the slopes in the commercial timber zones of the area are gentle due mainly to control by the large lateral glacial moraine which bounds the east valley of the S.Fk. of the San Joaquin River. This offers a bench with an ideal grade for the main access road to the area, and also forms a visual barrier for the main road.

8 I would recommend that a boundary be worked out for the adjacent wilderness area which encompasses the non commercial timberland soils and rock outcrops along the eastern margin of this area, but reserves the job producing commercial timberland as an area for timber harvest, range, mining, and motorized vehicle access recreation.

Note: Dr. Zinke is Professor of Forestry
at University of California-Berkeley
and is eminently qualified in the
classification and productivity of
Forest Soils in California and in
many parts of the world.

EXHIBIT #5

Claire Nelson

Note: Mr. Nelson is an Economist
and taught his subject at
California State University
at Fresno for many years.

Fresno, Cal.
July 12, 1982

Dear Hank:

In response to your request for my impressions of the trip to the Pincushion Area you may find the following of some interest.

Your timing for the tour was better than one could wish for or expect. It was a beautiful day. I learned a lot,and am pleased that you should care about what I think.

The Pincushion should not become a wilderness. Perhaps it could be turned into a "limited Access" area that would permit older people (like us) and families to enjoy it in wilderness-like isolation.

There is certainly a fine stand of mature timber--fir, Ponderosa pine, cedar that should not just go to waste. The forest might offer a few sales that would permit harvest of of the mature trees without endangering the primitive quality of the region. A well conceived harvest could turn the area from one of almost total inaccessibility and non-use into one of limited use, with some kind of loop road, or roads, minor culvert or bridge work, and made passable without being too inviting--but without the necessity of 4 wheel drive either.

All of this might be accomplished with a judicious mix o clear cutting, shelterwood systems, and perhaps even some selective cutting along the roads and around some of the better sites along the way.

My own amateurish feeling is that appropriate timber harvesting methods can make a valuable contribution to wildlife habitat, about which I feel strong concern. I didn't see much in the way of meadows or wet lands, though Walt tells me that they are there--just not visible from the road on which we traveled. In any case a timber harvest could contribute to developing additional ones--the birds and beasts of the forest would surely be grateful.

Careful attention to soil and water quality, and to possible erosion might make it uneconomic to harvest the area, especially in view of the distances to be covered. It is a "long way off.".

In short, the area has relatively little value in its present state of non-use, and would not improve its value under wilderness designation. A judicious harvest of otherwise wasted timber might well make it useful to far more people, and improve conditions for wildlife at the same time.

Again, thanks for including me.

Cordially,

Clair

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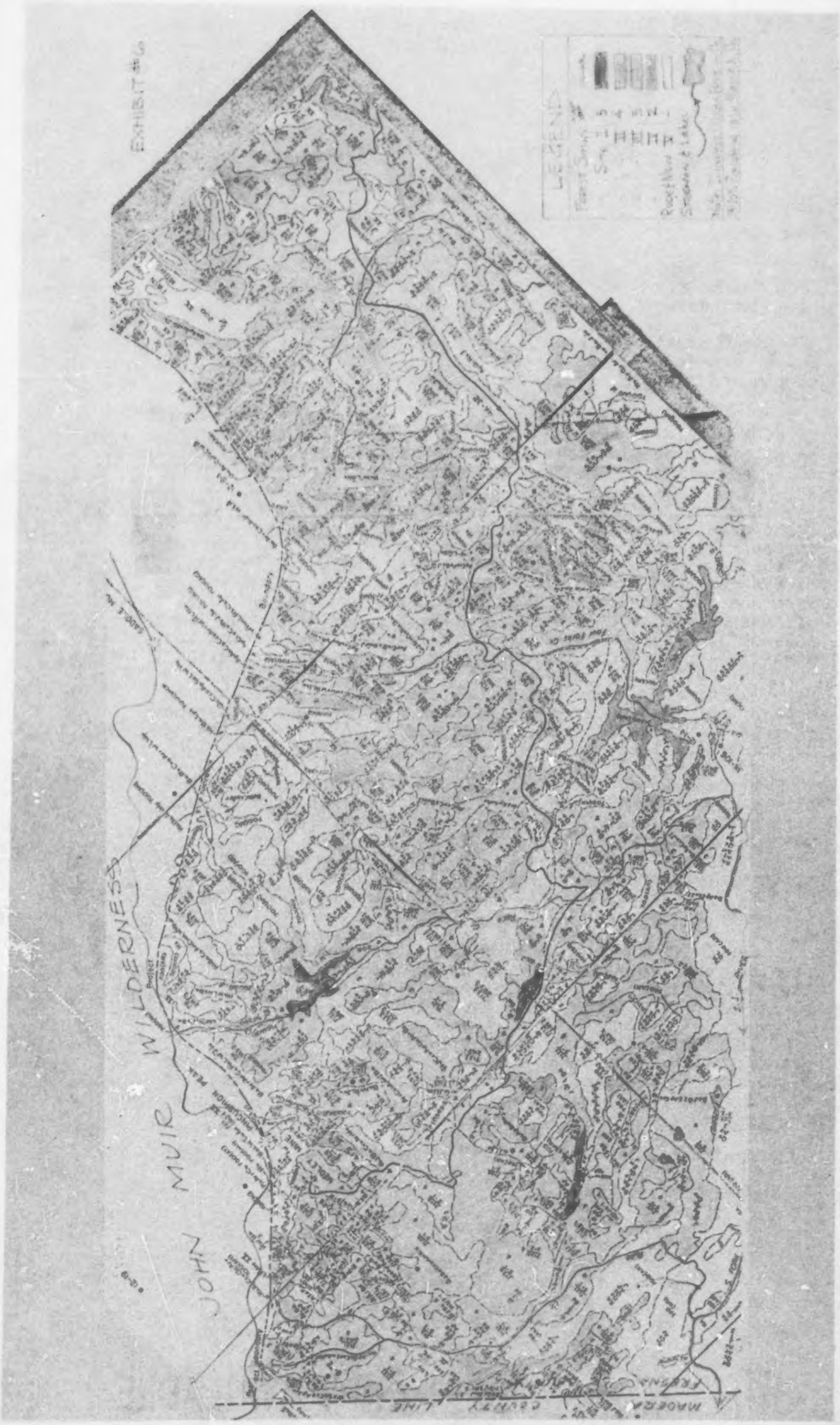
EXHIBIT #6
LEGEND
JOHN MUIR WILDERNESS
MADERA COUNTY LINE
FRESNO

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SPECIES
Old Growth Douglas Fir
Ponderosa & Sugar Pine
White Fir & Incense Cedar

HI-RIDGE LUMBER CO.
P. O. BOX 458
YREKA, CALIFORNIA 96097

PHONE:
(916) 842-4451

STATEMENT FOR

THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
UNITED STATES SENATE

December 15, 1982 Washington, D. C.

My name is Gerry Bendix and I am writing on behalf of all of the employees of Hi-Ridge Lumber Company, Yreka, California.

We are deeply concerned about the effects of The California Wilderness Act on our manufacturing facility. The proposed legislation would place 81.4 MMBF of annual potential timber harvest from the Klamath, Shasta-Trinity, and Six Rivers National Forests into Wilderness. For a clearer understanding of the economic importance of these 81.4 MMBF it should be noted that our sawmill directly employs 80 persons and accounts for the hiring of 125 more individuals by our logging and road building contractors in normal times. The 81.4 MMBF represents the annual timber needs of approximately three mills our size. According to U. S. Forest Service estimates, the reduced timber harvest resulting from the bill would eventually cause the elimination of 2500 manufacturing and service jobs in Del Norte, Humboldt, Trinity, Shasta and Siskiyou counties where unemployment levels always exceed national and statewide figures even when the U. S. economy is performing well. It is wrong to ask the people of our counties, as S. 1584 does, to sacrifice their jobs. It is doubly wrong to ask for such a sacrifice on the heels of the federal expansion of the Redwoods National Park which forced 1675 workers to apply for special assistance.

In addition to employment, S. 1584 will harm two more key elements in the vitality of our communities: education and transportation. The legislation will reduce forest reserve payments to the five counties by approximately $6.4 million annually from normal levels. These monies are essential to maintain high standards of schools and roads in our rural areas. Responsible local groups such as the Siskiyou County Board of Supervisors, The Yreka Chamber of Commerce, and the Nine Northern Counties Assessors Association have passed resolutions opposing these large set asides for Wilderness.

Also of critical importance is the fact that S. 1584 does not totally close the door on further wilderness consideration of unroaded lands returned to multiple-use management. We would prefer release language and legislative timetables for the Non-Wilderness, Further Study, and Planning Areas similar to those in H. R. 4047, The Wilderness Review Act of 1981.

Statement for The Subcommittee on Public
Lands and Reserved Water
December 15, 1982
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For the sake of the economy of Northwestern California we feel that the number and sizes of new Wilderness allocations should be scaled back. We wish to see the following areas eliminated from any final version of the California Wilderness Act (the numbers in the left-hand column correspond to those on the enclosed map):

	Proposed Wilderness Areas	
(1)	Siskiyou	101,000 acres
(2)	All additions to the Trinity Alps Primitive Area	233,000 "
(3)	Russian	12,000 "
(4)	Marble Mtn. Additions	38,000 "
(5)	Chancelulla	8,200 "
(6)	Pattison	28,000 "
(7)	Red Buttes	25,300 "
		445,500 acres

Also to be eliminated:

	Proposed Planning Areas	
(8)	Eightmile & Blue Creek	60,000 acres
(9)	Orleans Mtn.	30,000 "
(10)	Dillion Creek	30,000 "
		120,000 acres

For wilderness we recommend that you retain in the bill:

(11)	Trinity Alps	267,000 acres
(12)	Castle Crags	7,300 "
(13)	Mt. Shasta	26,000 "
		300,300 acres

And we recommend that the Forest Service manage for non-motorized dispersed recreation:

(14)	Siskiyou (the highlands core)	54,000 acres

The above Wilderness Areas that we recommend are in addition to Areas already designated by Congress in Northern California:

(15)	Marble Mountain	213,728 acres
(16)	Middle Eel - Yolla Bolly	111,824 "
(17)	Caribou	18,825 "
(18)	Thousand Lakes	16,335 "
(19)	South Warner	68,445 "
		429,157 acres

If a bill were passed with the areas as outlined above, the number of acres in Wilderness and acres principally managed for non-motorized dispersed recreation would be 783,457 in Northern California. Our proposals would eliminate from S. 1584 a total of 565,500 acres of proposed Wilderness and Planning Areas while protecting the most scenic and spectacular areas. Through these proposals Northwestern California would be spared many of the drastic losses in timber harvest, jobs, revenues, and community vigor that would occur should S. 1584 in its present form become law.

Most of you will agree that the top national priority during the current recession is jobs. The California Wilderness Act in its present form will destroy jobs.

Uncertainty over how the wilderness issue would be resolved helped to fuel the exorbitant bidding for timber in the late 1970's and early 1980's. Overpriced timber sale contracts coupled with depressed demand for wood products have thrown our industry into a prolonged recession. Resolution of the wilderness question will remedy one of the factors that contributed to the current hard times in our industry. It is time that a California Wilderness bill be enacted, but not one that will sap the economic lifeblood of our rural communities as would S. 1584.

Sincerely,

HI-RIDGE LUMBER COMPANY

Gerald Bendix

Gerald Bendix

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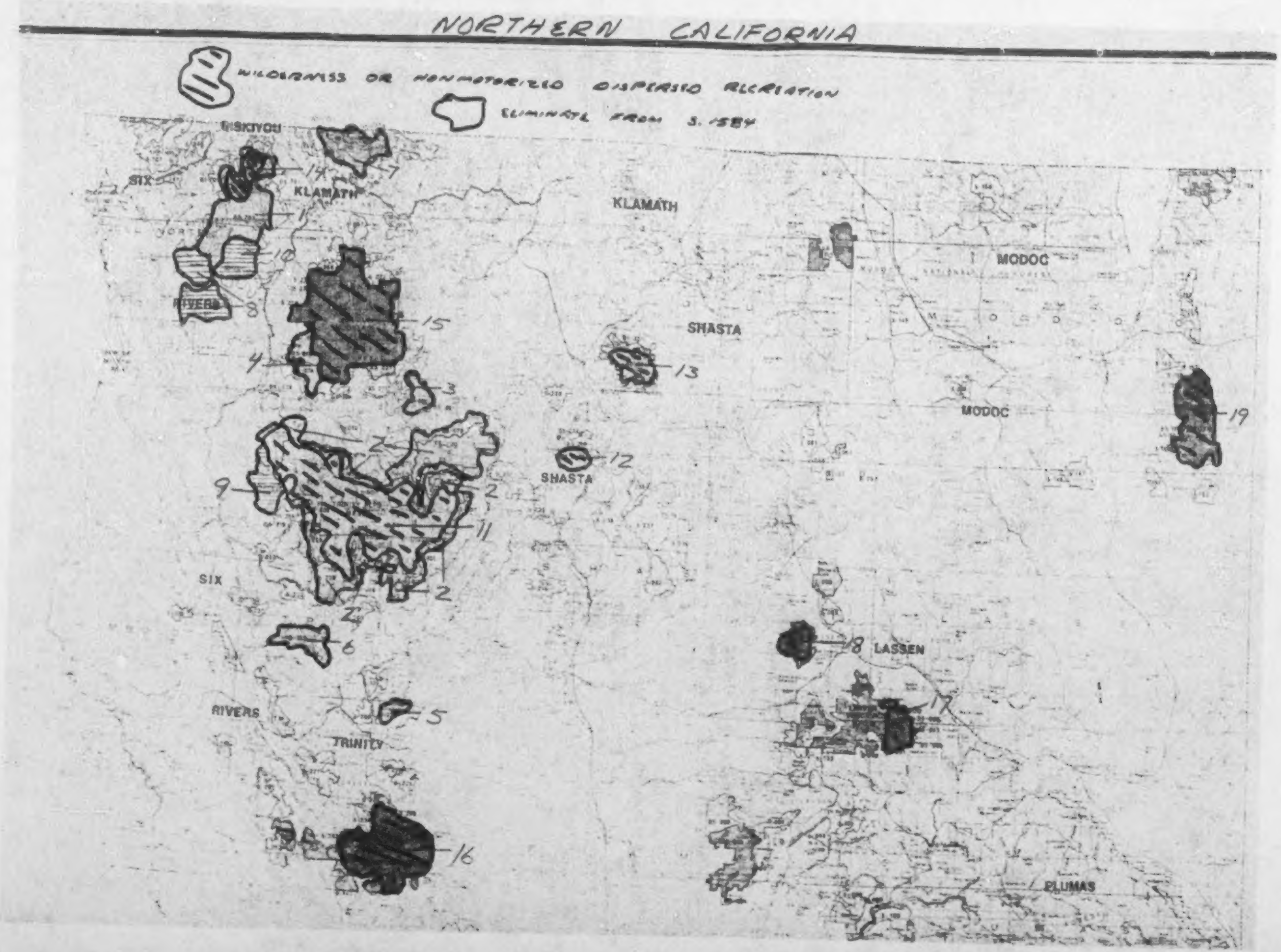
Enclosure (1)


NORTHERN CALIFORNIA
WILDERNESS OR NONMOTORIZED DISPERSED RECREATION
ELIMINATE FROM S. 1584
SISKIYOU
SIX
KLAMATH
RIVERS
KLAMATH
SHASTA
SHASTA
MODOC
MODOC
LASSEN
PLUMAS
SIX
RIVERS
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STATEMENT OF EDWARD J. WREN, VICE PRESIDENT, SOUTHWEST FOREST INDUSTRIES

Mr. **Wren**. Thank you, Mr. Chairman. I also have a prepared statement which I think you have a copy of and I won't go through the entire statement. I would like to point out a couple of things. We list in there exactly how many people our company employs in a good year, and as I point out in the testimony, 1979 was really the last good year in our industry, and we are now starting to go into our fourth year of what could be considered a very bad year within our industry.

I think the key thing, as Mr. Reid pointed out, is that no matter what kind of percentages you use or how much of the acreage it is going into wilderness, the point is that this really impacts a very small area of California as far as the withdrawal of potential and annual yield, and as I point out in the testimony, in Trinity County alone this legislation as opposed to the Carter administration's RARE II recommendations would increase the amount of acreage going into the wilderness from 17,500 to 182,340 acres, and the potential annual yield which would be lost increases from 4.1 million board feet to 36.4 million board feet annually. Siskiyou County, it almost doubles the wilderness acreage from 156,700 to 265,570 with potential annual yield loss again almost double.

I think the other thing that we are very concerned with is the affect on the 5-year sales plan in these particular areas. As I point out, there are four mills which operate in the same area that we are in. Our mills are two of those four, and this bill would remove from the planned sale 10 million board feet next year, 16 million board feet in the following year and 55.5 million board feet in 1985. And of this figure which is 81 million board feet, 44.5 million board feet alone is in the so-called Dillon Creek area which is section 13 of the bill. In fact, that section of the bill really bothers us, because what somebody is doing in there is they are saying no matter what is finally decided in the forest plan, whether—no matter how it comes out, nothing can happen to that until January 1, 1986. In effect, as far as we are concerned, that's like putting an end to wilderness. Like I point out, 44.5 million feet is from that area in the planned sales program for 2 years, and that would be precluded by section 13 of the bill. We have a hard time understanding why that section is in there and why it doesn't just simply say the Klamath National Forest plan—which, by the way, is about ready to be released by the Forest Service—whatever that says is the way that land should be managed. That bothers us.

In particular, we've had our foresters take a careful look at the Dillon Creek Area and we really cannot see, as I point out in my testimony, any outstanding wilderness characteristics that that has, except that it happens to be adjacent to another Siskiyou Roadless Area. As I point out, you could carry that on as far as you want to. This area is adjacent to this area and go on forever in making that as your designation.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Wren follows:]

Testimony by Edward J. Wren
Vice President, Southwest Forest Industries
before the
Subcommittee on Public Lands and Reserved Water
on
H.R. 4083 and S. 1584

Mr. Chairman, members of the Committee, my name is Ed Wren and I am a vice president with Southwest Forest Industries. We are a forest products company, listed on the New York Exchange, with annual sales in 1981 of approximately $773 million. The Company, headquartered in Phoenix, Arizona, employs 6,600 people in 31 states and has major lumber and plywood manufacturing operations in northern California and western Oregon employing approximately 2,000 people during normal economic times.

We testified on H.R. 4083 in 1981 when your counterpart House committee held hearings on what we consider to be ill-conceived legislation relative to the amount of Wilderness outlined in the proposal. A major portion of the National Forest acreage which would be placed into Wilderness should this bill be enacted into law is contained in a small area of the state. It directly affects our Company's two mills, located at Happy Camp and Burnt Ranch in northern California near the Oregon border. Let me try to put it in perspective for you.

During a good year in the industry, and let me use 1979 as the last "good year," we employed 260 people at our two mills with an annual payroll of $6.4 million. In addition, we subcontracted logging and road work to contractors who employed approximately 300 people. Our contractor payments that year totalled $9 million for logging and trucking and $3.3 million for road construction. We paid more than $300,000 in yield taxes to two California counties from harvesting operations and made $11.5 million in stumpage payments to the U.S. Forest Service. As you know, 25 percent of this total, or $2.9 million, goes to counties--in this case Trinity and Siskiyou Counties.

At the present time our Burnt Ranch mill is operating on a normal five-day schedule--and has been for the last three months--while our larger mill at Happy Camp has been shut down for most of the year.

In 1979 those two mills utilized 109 million board feet of timber from the Klamath and Six River National Forests located in Trinity and Siskiyou Counties.

In Trinity County this legislation increases the amount of acreage going into Wilderness from 17,500 acres in the Carter Administration's RARE II proposal to 192,340 acres and the potential annual yield which will be lost forever increases from 4.1 million board feet to 36.4 million board feet. In Siskiyou County the Wilderness acreage increased from 156,700 acres to 265,570 acres and the potential annual yield loss almost doubles, from 14.5 million board feet to 28.8 million board feet.

And while the loss of potential annual yield is a serious problem, that is somewhat minor compared to what effect this legislation will have on the Forest Service's sales plan in Siskiyou County alone.

We obtain most of our Happy Camp timber from the Klamath National Forest in this county for our mill. The RARE II recommendations would have had no effect on the Forest Service's sales plan for this forest. On the other hand, this bill would remove from planned sale 10 million board feet next year, 16 million board feet in the following year and 55.5 million board feet in 1985. And of this 81.5 million board feet total, 44.5 million board feet alone is in the so-called Dillon Creek area adjacent to one of our mills.

There are four mills in the area dependent on National Forest timber, including our two mills, and these mills cannot survive in the future with the reductions in the potential annual yield and sales plan. This legislation is, in our opinion, anything but a reasonable compromise and we feel strongly that at a minimum the Dillon Creek area must be removed from the bill. We are not asking that it be placed into multiple use classification, only that it be allowed to continue as part of the land use planning process on the Klamath National Forest which should have been completed and announced by now.

Like many other companies within our industry, we have experienced foresters who have carefully studied this particular area and claim that it does not contain, especially in the eastern and lower elevation portion, any spectacular terrain which would qualify it as Wilderness. All we can determine is that the Wilderness advocate groups feel that because it is roadless and adjacent to the Siskiyou Roadless area to the north--designated as Wildernes with no disagreement by our Company or other elements of the indust --that it should be included. This type of argument, I trust you c see, can be (and has been) used ad nauseum.

Thank you for hearing my views and I would be glad to answer any questions.

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STATEMENT OF GLEN H. DUYSEN, COOWNER, SIERRA FOREST PRODUCTS

Mr. DUYSEN. My name is Glen Duysen. I appreciate the opportunity to be here this morning. I might tie our operation down. We are a small business located in the southern end of the San Joaquin Valley, approximately 45 miles north of Bakersfield. So we are an operation at the southern end of the Sierra Nevada range.

We do employ around 170 employees, and we are entirely dependent on Federal timber, so the decision Congress makes is most important to us for the future of our operation.

I have mixed emotions about being here this morning. Mr. Wren has indicated the dire straits of the lumber and timber industry in the last 3 years. My first reaction was that in the short term maybe I should stay home and take care of the home fires. The other side, the stewardship of our national forest lands is most important and in the long time, as you point out, is my reason for being here this morning.

We certainly support the wilderness concept and we have supported the RARE II study. We've supported the recommendations of the project of the administration. We certainly cannot accept Senate bill 1584 or the counterpart from the House. That is too much acreage with no real reason for it. Certainly it has a large impact on other users other than the timber industry; the recreational use, skiers. There are a lot of reasons that the acreage is too large and people of California cannot afford this 2 million acres of wilderness in our national forest lands.

We do know that the largest impact is going to hit, by this bill, is going to hit the northwestern part of California. But it does have an impact on our end of the State. I might say that within 250 miles of my home over 70 percent of the Federal lands are now in wilderness or national parks. With this, that percentage is going to become even larger.

In the Sequoia National Forest which we operate on basically, we were really impacted in 1977 by the Endangered American Wilderness bill when the Golden Trout Wilderness was established. Some 306,000 acres which took about 25 percent of the allowable cut from our area. Since that date one mill has closed.

Senator WALLOP. Has there been a corresponding increase in outfitters and other things to take care of those lost jobs?

Mr. DUYSEN. I would say not. Actually some of the wilderness areas do have that summer use. I have seen—I mean as far as packers and what have you, actually there has been a decrease in the Sequoia National Forest here in the last 5 years.

I might go back to the RARE II regarding the Sequoia National Forest probably because we have so much wilderness set aside for this purpose now, RARE II recommendations do not include any additional lands. But when you look at Senate bill 1584, it is going to add over 166,000 acres in the Sequoia National Forest to wilderness.

Another alarming one is we have a Monache area which now in this bill would put out for further study for wilderness of some 43,000 acres. This is a fairly heavy timbered area and I would be most concerned, if it should be studied further, the relationships to the wilderness around it. It would be included also. The communities contiguous to the Sequoia National Forest are seriously threatened should an additional 210,000 acres be removed from multiple-use management.

I would like to refer to one area in the Sierra National Forest which is north of us that is referred to as the San Joaquin or Pincushion area with some 60,000 acres that would be included for wilderness in this bill. I personally know this area quite well. It has the general terrain of excellent stand of commercial timber, moderate slopes and is traversed by a low standard road. Certainly I feel that that particular area should not be included. It should be for multiple-use management. Certainly the roadless area issue needs to be resolved, but this bill is not the answer. I would certainly think the recommendation from the administration on RARE II would come the closest to solving these conflicts.

My request is that the bill be rejected as containing far too much land in California for the wilderness system. It's time we all started working for a stronger economy, full employment and well managed national forests. Thank you.

[The prepared statement of Mr. Duysen follows:]

STATEMENT TO THE SENATE SUBCOMMITTEE
ON PUBLIC LANDS AND RESERVED WATER
REGARDING S.1584 - DECEMBER 15, 1982

Mr. Chairman and Members of the Committee:

I am Glen H. Duysen, a licensed California professional forester and co-owner of Sierra Forest Products of Terra Bella, California. We are an independently owned and operated small business located at the southern end of the San Joaquin Valley, approximately forty-five miles north of Bakersfield. One hundred and seventy employees depend on our firm for their livelihood. Sierra Forest Products is entirely dependent on Federal timber for its raw material supply.

It is not necessary for me to relate to you the financial position of our firm following over thirty months of operations in a depressed economy. Each month becomes more critical. This raises the question in my mind of why I should be here in Washington, D.C. today. Perhaps I should be in Terra Bella tending the home fires. The short term view tells me I am in the wrong place today. The long term view tells me I need to express to you my concern for the stewardship of our Forest Service lands in California.

Our firm supports the wilderness concept. We were cautiously optimistic that RARE II would finally solve the question of how much Wilderness we need to preserve for our future generations. The RARE II recommendations were made by a professional resource agency after careful study, with consideration being given to the tremendous amount of public imput. The professional recommendations made by the Forest

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Service, and subsequent recommendations made by two Administrations, from the RARE II process are basically acceptable to the timber industry.

We cannot accept S.1584 because of the large increase in Wilderness acreage over that supported by RARE II data. S.1584 will double the size of the Wilderness System in the California National Forests. Over 25% of the National Forest lands will be in the System. S.1584 will reduce timber yields by 132 million board feet annually, reduce treasury receipts by 34 million dollars annually, and result in the loss of 4,000 jobs, of which 2500 are in the five northwestern California counties.

S.1584 has a large impact on users other than the timber industry. Recreational use will be reduced. ORV vehicles will lose 600,000 acres of National Forest lands now open to them. Recreational opportunities for the family, senior citizens and hunters will be reduced. California skiers will lose six potential ski areas, enough area to support almost 15,000 skiers. The cattlemen will lose some 20,000 animal unit months. The American economy will lose the availability of mineral and energy deposits on many thousands acres. It will be necessary for Congress to appropriate 44.5 million dollars for the acquisition of private lands.

The people of California cannot afford, nor do they want, a two million acre Wilderness System on National Forest lands. The people need jobs, availability of natural resources to provide these jobs, and the availability of the National Forest lands for recreational use consistent with their limited available time.

We all know that S.1584 has the largest adverse effect on the National Forests in the northwestern part of the state, the same area that has been economically distressed from the creation of the Redwood

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National Park. The five northwestern counties envision an annual loss from forest reserve receipts of $6,400,000.

Since I live and work in the southern portion of the National Forests of California, namely the Sequoia and Sierra National Forests, I want to relate S.1584 to this area. It should first be said that within a radius of 250 miles of my home, over 70% of the federal land is in the Wilderness System or National Parks. The Sequoia and Inyo National Forests lost 306,000 acres and 25% of the allowable cut in 1977, when Congress passed the Endangered American Wilderness Act and created the Golden Trout Wilderness. Since that date, one mill has closed and a town supporting 300 people closed because of the timber loss.

Undoubtably due to the large acreage of existing Wilderness in the Sequoia National Forest, RARE II recommendations did not include any additional lands. This is not the case with S.1584. An additional 166,700 acres will go into the Wilderness System (Domelands, Woodpecker, South Sierra, Scoddies and Agnew). Just as alarming, the Monache area of 43,400 acres is to be taken from multiple use management and studied for possible Wilderness. The communities contiguous to the Sequoia National Forest are seriously threatened should an additional 210,000 acres be removed from multiple use management.

An additional area, located on the Sierra National Forest and known as the San Joaquin or Pincushion, should not be considered for Wilderness designation as proposed by S.1584. This area of 60,000 acres, lying east of the South Fork of the San Joaquin River and north of Edison Lake, has an excellent stand of commercial timber, moderate slopes and is traversed by a low standard road. From my personal

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knowledge of the Pincushion area, I strongly urge this area remain in multiple use.

The roadless area issue on the National Forests of California needs to be resolved. S.1584 is not the answer. I believe the recommendations of the Administration on RARE II will come the closest to solving this complex and emotional issue. Those lands designated for multiple use need to be released immediately for inclusion in the Forest Plans.

My request is that you reject S.1584 as containing far too much land in California for the Wilderness System. Let's go back to the drawing board for a better answer. It's time we all started working for a stronger economy, full employment and well managed National Forests.

Senator WALLOP. I wonder if I could get Mr. Reid and the witnesses to comment on the release language contained within the bill on the areas that could be studied for wilderness.

Mr. REID. Basically we have always argued that the release language was needed to put some certainty in part of it, and the result of this ninth circuit decision has made that even more so.

We feel that the release should be far beyond what it is in that bill. Our basic position is it should be permanent release. Mr. Crowell indicated they are backing up to the year 2000. We will have to take a look at that.

Senator WALLOP. 2000 is two forest planning cycles. There would be nothing in the way to prevent future Congresses or anybody else from getting into that, but at least it would establish a pattern, a management process. The planning process would be returned to the steward of public lands.

I would just ask any of you, were you involved in fashioning this compromise?

Mr. WREN. The only compromise that I recall, Senator, that any of us were involved in is we were involved with the release language provisions that ended up in the bill. There were no release language provisions to begin with. And then we worked up at that point the only compromise that was really not acceptable to us as Mr. Reid said, but it was the only thing we could get at the time. There were really no meetings at all between the nature-user groups of the forest and anybody else relative to going from the 1.0 to the 2.1 million acres. This bill went through the House subcommittee in 1 day and on the floor with only 30 Members present. There was no opportunity at all to look at those areas and have any compromise discussions relative to the acreages itself.

Mr. REID. I have to support what Mr. Wren said.

Senator WALLOP. I appreciate your testimony here this morning. I thank you for coming.

Senator Cranston has arrived and we will welcome him.

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STATEMENT OF HON. ALAN CRANSTON, A U.S. SENATOR FROM THE STATE OF CALIFORNIA

Senator CRANSTON. Good morning, Mr. Chairman. I want to thank you for scheduling this hearing on the omnibus California wilderness legislation, S. 1584 and H.R. 4083. As the chairman knows, enactment of the California wilderness bill has been one of my top priorities for the 97th Congress.

S. 1584, which I introduced in July 1981, would designate some 3.5 million acres in California as wilderness—2.1 million acres of national forest land and 1.4 million of national park land. S. 1584 is nearly identical to Congressman Burton's California wilderness bill, H.R. 4083 which also passed the House in July 1981 on a voice vote. The deletion of 600 acres from the Sheep Mountain Wilderness to permit the expansion of the Mount Baldy ski area on the northeast face of Mount San Antonio and the addition of 88,843 acres to the Sequoia-Kings Canyon Wilderness to conform the acreage with the National Park Service's wilderness recommendation for this park are the only differences between S. 1584 and the House bill.

For national forest lands, S. 1584 designates 53 separate wilderness areas and wilderness additions ranging from the lush forests of the Trinity Alps to the endangered California condor habitat in the Dick Smith area of the Los Padres Forest and the Nation's highest desert mountains in the Boundary Peak area. Under the legislation, four additional areas, involving another 162,000 acres, are classified as wilderness study or planning areas, subject to further wilderness evaluation.

For the national parks, the legislation adds the 253-acre Crocker Ridge area and 7,000 acres of Sierra National Forest lands to Yosemite National Park, completing watershed protection along the park's southern boundary. S. 1584 adds 12,000 acres of highly scenic Sequoia National Forest lands to Sequoia-Kings Canyon National Park, rounding out the park for better management. S. 1584 also establishes two park wilderness areas—a 677,600-acre Yosemite Wilderness and a 825,823-acre Sequoia-Kings Canyon Wilderness Area.

Mr. Chairman, I want to recognize the contribution of Congressman Phil Burton in developing this legislation. Starting in 1980 Congressman Burton worked closely with every member of the California congressional delegation whose district is affected by the Forest Service RARE II proposals. This bill, H.R. 4083, is the product of these extensive negotiations and committee hearings, both in California and Washington, D.C. It is a compromise between earlier California wilderness bills calling for a maximum of 5.1 million acres of national forest wilderness and a minimum of 1.3 million acres of forest wilderness.

In compromising on overall acreage designated, this legislation also balances competing environmental and commercial interests. The bill excludes from wilderness all potential ski development areas in California on national forest lands. It permits expansion of existing ski areas like Mammoth Mountain and relocation and development of others like Mount Shasta which the committee is already familiar with. The legislation assures that development of important known deposits of minerals like the cobalt and nickel around the North Fork of the Smith River will not be hampered by wilderness designation or further wilderness study. It facilitates the construction of needed hydroelectric power projects in the Sierra Nevada mountains and power transmission lines through potential wilderness lands. The legislation recognizes that these commercial interests and the Forest Service need to know what the final wilderness boundaries will be before planned development can proceed.

Additionally, the legislation resolves the California lawsuit on RARE II, freeing up some 590,000 acres of national forest roadless lands with 86 million board feet of annual potential yield currently under injunction for timber harvesting. Another 245,000 acres with 35.1 million board feet of annual potential yield in administrative further planning areas are released to nonwilderness through the House Interior Committee report language on H.R. 4083, and I would hope the Senate committee would also agree to release these lands. This resolution of the California RARE II lawsuit should help the Forest Service to identify the land base on which to plan timber sales in the future, relief long sought by the California timber industry.

As the committee is well aware, the ninth circuit court has now upheld the finding of the U.S. district court in the case of the *State of California* v. *Bergland* that the environmental impact statement on RARE II is not sufficient, potentially subjecting the EIS to challenges in other States. The State of California and conservationists strongly object to congressional adoption of sufficiency language overturning the lawsuit in the absence of congressional action on the California wilderness legislation. Their position is supported by many of us in the Senate and the House. Thus, the ninth circuit court ruling makes it imperative that Congress address the California wilderness situation now.

Mr. Chairman, I want to make it clear that many of the areas released to nonwilderness under this legislation are also important to California conservationists and their support of S. 1584 and H.R. 4083 represents a major compromise on their part. They are agreeing to nonwilderness status for the North Fork of the Smith River and other areas of high wilderness value sought for development but only in return for protection for all time of some other beautiful parts of California.

In sum, the California wilderness bill embodies many compromises. A wide variety of uses of national forest lands were considered. And although I expect there will be requests for amendments to the bill, I am convinced that the legislation is fair and evenhandedly addresses the needs of all parties in the State.

I would like to add a final word about the release language contained in S. 1584 and H.R. 4083. The legislation provides that RARE II lands in California not designated as wilderness, or remaining in further planning upon enactment of the bill, need not have their wilderness potential reevaluated until "second generation" forest management plans are prepared, and in no case prior to the date established by law for the completion of "first generation" plans.

And until the initial plans are revised these released areas would not have to be managed to protect their suitability as wilderness. I firmly believe that wilderness should not be ruled out as a management option when the forest management plans are revised. Should the lands still be roadless at the time wilderness should be considered as an alternative along with timbering and other multiple uses as called for under the National Forest Management Act.

Mr. Chairman, I again want to express my appreciation for your holding this hearing on California wilderness, particularly with the late night that we shared together. It is vital to all interests in California that Congress resolve the RARE II issues in the State at an early date. Your continued assistance in moving forward with this legislation would be a great servce to the people of California and the Nation. Thank you.

[The prepared statement of Senator Cranston follows:]

STATEMENT BY SENATOR ALAN CRANSTON BEFORE THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE SUBCOMMITTEE ON PUBLIC LANDS IN SUPPORT OF THE OMNIBUS CALIFORNIA WILDERNESS BILL, S.1584 AND H.R. 4083

December 15, 1982

Mr. Chairman, I want to thank you for scheduling this hearing on the omnibus California wilderness legislation, S. 1584 and H.R. 4083. As the Chairman knows, enactment of the California wilderness bill has been one of my top priorities for the 97th Congress.

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For the national parks, the legislation adds the 253-acre Crocker Ridge area and 7,000 acres of Sierra National Forest lands to Yosemite National Park, completing watershed protection along the park's southern boundary. S. 1584 adds 12,000 acres of highly scenic Sequoia National Forest lands to Sequoia-Kings Canyon National Park, rounding out the park for better management. S. 1584 also establishes two park wilderness areas -- a 677,600 acre Yosemite wilderness and a 825,823 acre Sequoia-Kings Canyon wilderness area.

Mr. Chairman, I want to recognize the contribution of Congressman Phil Burton in developing this legislation. Starting in 1980 Congressman Burton worked closely with every member of the California Congressional delegation whose district is affected by the Forest Service RARE II proposals. This bill, H.R. 4083, is the product of these extensive negotiations and Committee hearings, both in California and Washington, D. C. It is a compromise between earlier California wilderness bills calling for a maximum of 5.1 million acres of national forest wilderness and a minimum of 1.3 million acres of forest wilderness.

In compromising on overall acreage designated, this legislation also balances competing environmental and commercial interests. The bill excludes from wilderness all potential ski development areas in California on national forest lands. It permits expansion of existing ski areas like Mammoth Mountain and relocation and development of others like Mt. Shasta which the Committee is already familiar with. The legislation assures that development of important known deposits of minerals like the cobalt and nickel around the North Fork of the Smith River will not be hampered by wilderness designation or further wilderness study. It facilitates the construction of needed hydroelectric power projects in the Sierra Nevada mountains and power transmission lines through potential wilderness lands. The legislation recognizes that these commercial interests and the Forest Service need to know what the final wilderness boundaries will be before planned development can proceed.

Additionally, the legislation resolves the California lawsuit on RARE II, freeing up some 590,000 acres of national forest roadless lands with 86 million board feet of annual potential yield currently under injunction for timber harvesting. Another 245,000 acres with 35.1 million board feet of annual potential yield in administrative further planning areas are released to non-wilderness through the House Interior Committee report language on H.R. 4083, and I would hope the Senate Committee would also agree to release these lands. This resolution of the California RARE II lawsuit should help the Forest Service to identify the land base on which to plan timber sales in the future, relief long sought by the California timber industry.

As the Committee is well aware, the Ninth Circuit Court has now upheld the finding of the U. S. District Court in the case of the State of California v. Bergland that the environmental impact statement on RARE II is not sufficient, potentially subjecting the EIS to challenges in other states. The State of California and conservationists strongly object to Congressional adoption of sufficiency language overturning the lawsuit in the absence of Congressional action on the California wilderness legislation. Their position is supported by many of us in the Senate and the House. Thus, the Ninth Circuit Court ruling makes it imperative that Congress address the California wilderness situation now.

Mr. Chairman, I want to make it clear that many of the areas released to non-wilderness under this legislation are also important to California conservationists and their support of S. 1584 and H.R. 4083 represents major compromises on their part. They are agreeing to non-wilderness status for the North Fork of the Smith River and other areas of high wilderness value sought for development but only in return for protection for all time of some other beautiful parts of California.

In sum, the California wilderness bill embodies many compromises. A wide variety of uses of national forest lands were considered. And although I expect there will be requests for amendments to the bill, I am convinced that the legislation is fair and even-handedly addresses the needs of all parties in the state.

I would like to add a final word about the release language contained in S. 1584 and H.R. 4083. The legislation provides that RARE II lands in California not designated as wilderness, or remaining in further planning upon enactment of the bill, need not have their wilderness potential reevaluated until "second generation" forest management plans are prepared, and in no case prior to the date established by law for the completion of "first generation" plans. And until the initial plans are revised these released areas would not have to be managed to protect their suitability as wilderness. I firmly believe that wilderness should not be ruled out as a management option when the forest management plans are revised. Should the lands still be roadless at that time wilderness should be considered as an alternative along with timbering and other multiple uses as called for under the National Forest Management Act.

Mr. Chairman, I again want to express my appreciation for your holding this hearing on California wilderness. It is vital to all interests in California that Congress resolve the RARE II issues in the state at an early date. Your continued assistance in moving forward with this legislation would be a great service to the people of California and the nation. Thank you.

Senator WALLOP. Thank you very much, Senator Cranston. I want to get your philosophical reasoning behind the national park wilderness. It seems to me that it's a contradiction in terms. I know that we have done it in other instances. It seems to me that it's contrary to what we set the national parks up for in the first place. They are not threatened. I think most everybody would agree that the Park Service has done an outstanding job in protecting the resources.

Among their targets, in addition to protecting the resources, is to provide for the use and enjoyment of the American people. It seems to me that is so constrictive to the concept of the adequate park management. I was wondering what your reasoning was?

Senator CRANSTON. Basically I simply feel the more parts of our country within reasonable bounds, with the consideration of other interests like timber, mining, and so forth, that can be kept totally untouched, the better.

Senator WALLOP. But they virtually are as parks. There is management obligation in there. I don't think you would say that parks have been particularly badly managed, or that the resources within the boundaries are threatened, would you?

Senator CRANSTON. I'm not wild about all aspects of the management. They are increasingly crowded.

Senator WALLOP. They will be increasingly more crowded as you put greater pressure on those parts of the park which are not in the wilderness.

Senator CRANSTON. It seems to me the main purpose in proceeding in the path that I advocate is to protect more areas from any kind of development. We need to have some pristine parts of America, some of the more beautiful parts, untouched by the hand of man in any way except for those who visit them.

Senator WALLOP. In the report in the House they would seem to take issue with one of your statements about the compromise which they say, the Burton bill cannot be considered as a satisfactory compromise to satisfy either side of the controversy. It is also disturbing to the minority members of the subcommittee that the concerns and views of the members in whose districts particular areas—In many instances additional wilderness designations are being made without the consent of the members affected. Congressman Chappie from California urges the Senators to take a closer look at the lands proposed in H.R. 4083 and their related bills.

Do you have any sense that there was a compromise fashioned by one side with the inability of the other side to be heard?

Senator CRANSTON. I think they were given their opportunity to be heard. Most compromises are not totally acceptable to either side, and often one side feels it's less acceptable to it.

Senator WALLOP. In the 41,000 acres, the lands that are included in these areas proposed, do they trouble you at all?

Senator CRANSTON. No. Basically I think this is a reasonable and good approach, and there are virtues and some aspects of this for the timber industry. We are going to solve some problems that have been plaguing them for a long time and get this enacted.

Senator WALLOP. It's their testimony—well, the problem that I have with the inclusion of the deeded lands is that to be purchased we're talking about a lot of money which we had not been able to spring loose in your State for a lot of other purposes. What will you do if you can't exchange the exchange, not be able to dispose of them or develop them in order to pay taxes on them until such time that Congress agrees to deal with the $2.5 to $3 million backlog that's there? If we exchange them, you have in effect executed a withdrawal that is double the size that is proposed. In other words, 41,000 acres will be put into wilderness designation, and 41,000 acres will be taken out of the other available public lands. So you have instead of 41,000 acres, an 82,000-acre withdrawal. I wonder if that would operate in the public interest?

Senator **CRANSTON**. I believe that would be in the public interest. We are talking in terms of providing protection for them in much of California.

Senator **WALLOP**. Do you see wilderness as the only means of protection?

Senator **CRANSTON**. No. I don't see it as the only means by any means, but I think it's a very fine one.

Senator **WALLOP**. I appreciate your testimony.

Senator **CRANSTON**. Thank you. I appreciate your interest and I'm grateful to you for arranging this hearing.

Senator **WALLOP**. The next panel is Mr. Carl Allen, Kern River Wildlife Sanctuary; Patricia Hedge, the Wilderness Society; and Russell Shay, Sierra Club.

STATEMENT OF CARL G. ALLEN, ON BEHALF OF HIMSELF AND THE KERN RIVER WILDLIFE SANCTUARY

Mr. **ALLEN**. Thank you very much, Mr. Chairman. I am concerned with the special situation on the southeastern border of the Domeland Wilderness where I happen to own 1,000 acres that cut across the entrance to the Domeland there, and in effect controls access to approximately 14 square miles of upstream country, some of which is in the Domelands Wilderness, but some of which has been left out. The reason is that there was an anticipation in those days of a prospective hydroelectric power project which I have become concerned with after forming what I've called the Kern River Wildlife Sanctuary, a nonprofit organization, the purpose of which is to fundamentally keep that area untouched in the future and fit for future generations the way I was fortunate enough to find it. And particularly to reserve the wildlife habitat that exists there which is quite unusual in that there are five acquasystems which converge at that particular point. To me it's of real importance from a scientific and environmental viewpoint.

I have prepared a statement which I would appreciate being made part of the record, some of which I will need to read and would like to reserve some time if you wish to go into whatever aspects of this you might like.

Speaking both for myself and the sanctuary, to which I will continue to donate this land and when I die will all go if I haven't completed the donation by that time, and if it ceases to be viable, we have provided or will provide for it to go into their holdings.

We ask that section 2(a) of S. 1584 be amended by adding the following words:

> Provided, however, that the designation of these additions to the Domeland Wilderness shall not preclude a hydroelectric power project using the waters of the South Fork of the Kern River in Kern County, California as far upstream as the boundary between Kern and Tulare Counties and, in connection with such a project approved by the Federal Energy Regulatory Commission under existing laws and regulations, the establishment, maintenance and use of reservoirs; water conservation, diversion and conduit works; power transmission lines and other facilities needed in the public interest, including the construction, maintenance and use of an access road wholly within Kern County for vehicular use solely by and for such an approved hydroelectric power project.

I would like to make the point here that there would be no transmission lines within the wilderness areas. The electrical service of the diversion would be handled on the ground as would the conduit pipe be required to be buried by the mitigation provisions of the California Department of Fish and Game who are as concerned as we are in maintaining the sanctity of the environment.

These words are intended to provide that there be no vehicular access to the wilderness area except by a minor road serving only the construction and maintenance of an approved hydroelectric power project. The last six lines of the proposed amendment follow closely the wording of section 4(d)(4) of the Wilderness Act under its special provisions of use of wilderness areas relating to the development of water resources in wilderness areas.

I think I would like to save the reading of the page but I would like to discuss the situation by referring to the attachment one of those of you who have this statement which is a map of the Domeland Wilderness. It will show you the area that I'm talking about. In the southeast corner there you will see that the original designation of the wilderness, the 1,060 acres which is now described as Domeland addition to was purposely omitted there because there was a record of application for hydroelectric project and they were anticipating its future development. Back as early as 1921 the city of Los Angeles applied to the Federal Power Commission under the Power Act on its projects there in that area, and I have attached to that statement the exhibit of the original application as well as an overview of the many different references to a hydroelectric project in that particular area. I guess I should say that those of us who are interested now in this were not aware of S. 4083 or its predecessors, or the hearings that were going on in 1979. In reviewing the record of those hearings and reports, we've been able to find no reference or mention of concern about the hydroelectric potential of the South Fork or Kern River in those hearings, which is why I believe it was not in any way mentioned or intended to in the present form of S. 4083 and S. 1584. It simply wasn't the sensitive subject of those that were cognizant of what was happening. We were not aware of what was happening at that time.

If you would still look at the map I mentioned, you would see that the land that we own here, as I mentioned before, cuts across the canyon from mountain to mountain on the river, and there is no access there to the Domeland Wilderness except through our land, which simply means we are in a position to maintain the sanctity of that wilderness, and the idea of perhaps contaminating it with a power project needs to be done with great care. That's why we would prefer to do it rather than have some commercial interest come in and not be that concerned about the environment in the process of doing it. We think there is a hydroelectric potential in the force of that river.

The last thing that I would like to mention to substantiate that point is the final attachment to this submittal which is the hydroelectric profile of the river. It's a very interesting situation where it shows that the existing wilderness boundary cuts off the river at an altitude of 3,160 feet; and by going upstream into the wilderness for another mile you would gain 420 more feet. By going a second mile you would gain an additional 360. There's 420 feet of elevation from another mile, and additional 340 feet during the next river mile, so you would develop a total of over 800 feet before reaching the Kern County boundary.

The country is so wide that it's almost impossible for a human being to go up in that area and manage to get up any further on that river. It's even difficult to come down. You really have to go around the river because its so very wild and difficult with the sharp canyon and so on.

I don't think I should go into any more detail, but if there are any questions, I would be glad to try to explain anything that isn't clear about what I'm saying. I think the important point here is that for a hydroelectric power project to be successful there, it really needs the additional head of going upstream. The 230 feet of head that are available with the present boundary are not sufficient to bring it off economically as a viable project in my opinion. It would be a tremendous mistake in my view to allow that wilderness to be contaminated by an effort to construct the project. I would resist that in any way I could in the interest of trying to preserve the sanctity of the environment, but by going 2 more miles upstream to pull the water out of the river and gaining an additional 800 feet of head, you would then generate over 30 million kilowatt-hours a year which does become a sound project and does contribute that much alternate clean energy from the water source.

[The prepared statement of Mr. Allen follows:]

KERN RIVER WILDLIFE SANCTUARY

STAR ROUTE EAST
ONYX, CALIFORNIA 93255

MAILING ADDRESS:
3435 WILSHIRE BOULEVARD, SUITE 2320
LOS ANGELES, CALIFORNIA 90010
(213) 385-1678

STATEMENT OF CARL G. ALLEN REPRESENTING HIMSELF AND THE KERN RIVER WILDLIFE SANCTUARY BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

IN REGARD TO SEC. 2(a) (13) OF S.1584

December 15, 1982

We ask that Sec. 2.(a)(13) of S.1584 be amended by adding the following words:

> "Provided, however, that the designation of these additions to the Domeland Wilderness shall not preclude a hydroelectric power project using the waters of the South Fork of the Kern River in Kern County, California as far upstream as the boundary between Kern and Tulare Counties and, in connection with such a project approved by the Federal Energy Regulatory Commission under existing laws and regulations, the establishment, maintenance and use of reservoirs; water conservation, diversion and conduit works; power transmission lines and other facilities needed in the public interest, including the construction, maintenance and use of an access road wholly within Kern County for vehicular use solely by and for such an approved hydroelectric power project."

These words are intended to provide that there be no vehicular access to the Wilderness area except by a minor road serving only the construction and maintenance of an approved hydroelectric power project. The last six lines of the proposed amendment follow closely the wording of Sec. 4.(d)(4) of the Wilderness Act (P.L.88-577, 78 Stat. 890) under its Special Provisions for Use of Wilderness Areas relating to the development of water resources in wilderness areas.

There is precedent for this amendment since S. 1584 already contains special provisions in five subparagraphs of Sec.2.(a) (5,11,23,37 & 38) of which those of Sec. 2.(a)(38) relate also to a hydroelectric power project in the "San Joaquin Wilderness - Proposed."

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Carl G. Allen Statement on Amendment of S. 1584, Sec. 2.(a)(13)
December 15, 1982
Page 2

When the Domeland Wilderness was designated by Public Law 88-577, its boundaries were defined to omit in its Southeastern extremity 1,160 acres of the Sequoia National Forest whose boundaries otherwise on the South and East in Kern County coincided with the boundaries there of the Domeland Wilderness.

Please refer to the attached map of the Domeland Wilderness (Attachment 1). All specific land references herein by Sections will relate only to Township 25 South, Range 35 East, Mt. Diablo Base and Meridian.

The one thousand acres of Forest in Sections 13, 14, 23 and 26 not included in the Domeland Wilderness were purposely omitted specifically to accomodate the possibility of a hydroelectric power project using the waters of the South Fork of the Kern River in that particular area which had long been anticipated. There was ample reason for the omission, since such a project had been considered repeatedly by public and private agencies since the City of Los Angeles filed with the Federal Power Commission on January 14, 1921 the first power project application. (See Attachments 2 and 3).

There are currently four/competing hyroelectric power project applications on file with the Federal Energy Regulatory Commission (No. 3592, No. 4125, No.4805 and No. 6441) which have been accepted and are receiving FERC's consideration - all of which propose to divert water from the South Fork of the Kern River and conduct it through a pipeline located in the area (Sections 14 and 23) that S. 1584 Sec. 2.(a)(13) designates for "Domeland Additions II". This area is also included within Domeland Addition RARE II Area 5-305 which the Forest Service has allocated to "Non-Wilderness" based on 1,642 responses from the public of which 653 recommended the "Wilderness" classification; 5 recommended "Wilderness with Boundary Adjustment"; 3 recommended "Further Planning" and 981 recommended "Non Wilderness."

The Hearings before the House Subcommittee on Public Lands held in Washington on November 13, 15 and 16, 1979 on the then California Wilderness Proposals, on which H.R. 4083,companion to S. 1584,is understood to be based, contain no record of mention or awareness of a hydroelectric power project potential in the area, or of this reason why the area was omitted from the original designation of the Domeland Wilderness.

Still referring to the map (Attachment 1), you will note that the lands of the Kern River Wildlife Sanctuary and myself extend across the valley of the River from mountain to mountain and control southern access to the Domeland Wilderness along the South Fork of the Kern River. 1,093 acres is involved here - forty of which I have donated to the Sanctuary, a non-profit California corporation, and the balance of which will all be donated from year to year or upon my death, with provision that the land will pass from the Sanctuary to The Nature Conservancy if the Sanctuary ever ceases to be viable. Our principal purpose for the Sanctuary is to protect and preserve the very delicate wilderness environment of this high desert area where five major ecosystems are said to converge at the beginning of a rare, riparian habitat downstream. The Sanctuary plans to maintain and preserve the wilderness characteristics of the area upstream whether or not it is added by designation of S. 1584 to the Domeland Wilderness.

Another interesting factor is the point that in reserving the area in question from the Domeland Wilderness when it was designated by PL 88-577, the boundary recommendations and decision then did not take into account the hydraulic profile of the River here, or the optimum hydroelectric potential and economic viability of that particular power source. The area excluded from the Domeland Wilderness for the power project should have allowed the project to divert water another two miles upstream. The reason for this is the fact that the hydraulic profile of the River in this area shows that its hydraulic head (elevation difference between diversion and power house), which now cuts off on the North boundary of Section 14 at an elevation of 3,160 feet, would gain 420 feet of elevation another mile upstream (3,580 feet), and an additional 340 feet during the next river mile (3,920 feet) for a total of over 800 feet before the Kern/Tulare County boundary is reached. (See Attachment 4). We estimate that a properly designed hydroelectric project utilizing the hydraulic head available within Kern County would generate upwards of 30,000,000 kilowatt hours of electrical energy annually, based on the 55-year average flow of the River as measured by a USGS gaging station installed by the Federal government in 1911 near the center of Section 24 to measure the riverflow in anticipation of a hydroelectric power project in the area.

The Kern River Wildlife Sanctuary and I believe the Domeland II Additions proposed by S. 1584 Sec. 2.(a)(13) should be enacted with respect to the 1,160 acres of the area of our concern here. We do not believe, however, that this important source of clean, renewable energy should be lost both now and for future generations by foreclosing the expected hydroelectric project that has been under consideration.And without disturbing the wilderness environment by proper mitigating measures under the supervision of the Federal Energy Regulatory Commission and the California Department of Fish and Game, we propose that provision be made for the most energy-productive project of which the physical environment and the federal and state regulatory systems ~~is~~ are capable.

We therefore ask that the area in question be designated as additions to the Domeland Wilderness but that in so doing it be further provided that a viable hydroelectric power project be allowed therein as approved under existing laws and regulations.

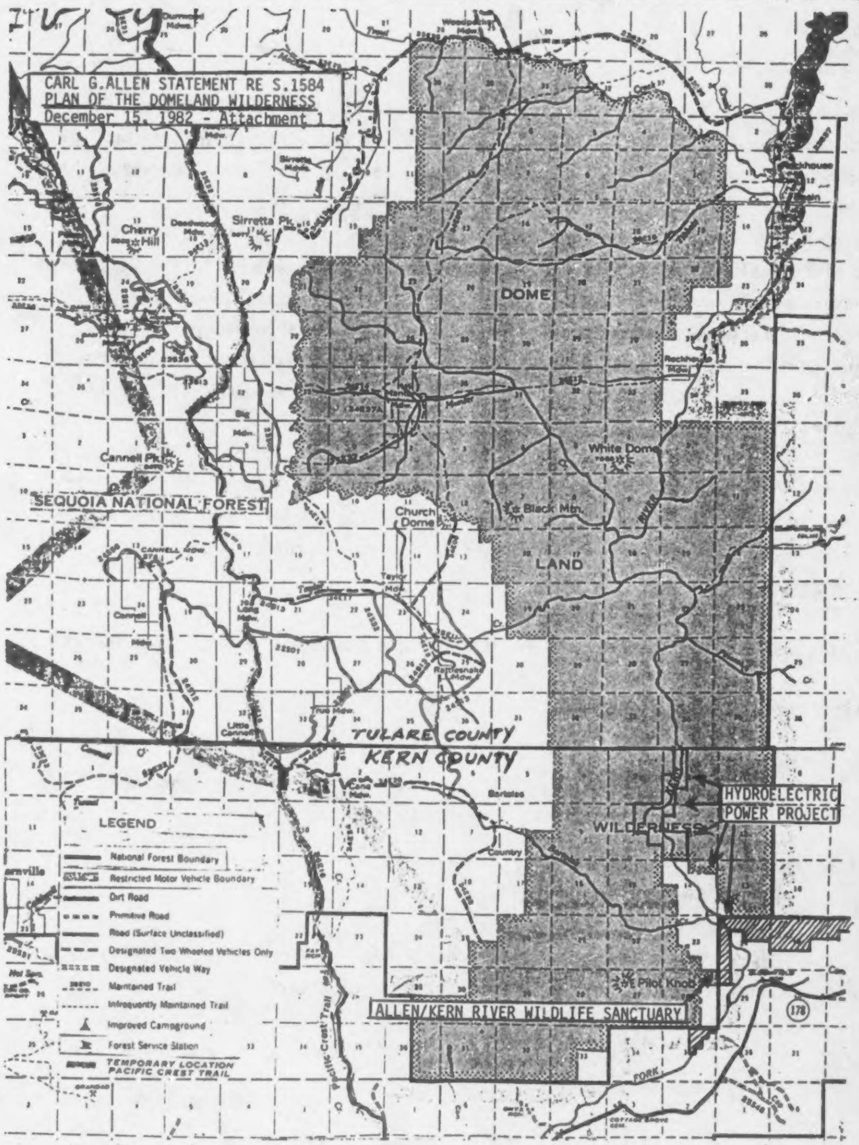
Thank you for the privilege of submitting this statement for your consideration.

KERN RIVER WILDLIFE SANCTUARY

By Carl G. Allen, Chairman

Carl G. Allen, Individually

Attachments:
1 - Plan of the Domeland Wilderness
2 - Overview of Hydroelectric Power Potential
3 - Federal Power Commission letter of 3/29/21 re Project No. 152(City of Los Angeles)
4 - Hydraulic Profile of South Fork of the Kern River



CARL G.ALLEN STATEMENT RE S.1584
PLAN OF THE DOMELAND WILDERNESS
December 15, 1982 - Attachment 1

Cherry Hill
Sirretta Pk.
Big Mdw.
Cannell Pk.
SEQUOIA NATIONAL FOREST
DOME
LAND
WILDERNESS
White Dome
Black Mtn.
Church Dome
Taylor Mdw.
Rattlesnake Mdw.
Little Cannell
Rockhouse Mdw.
Pilot Knob
TULARE COUNTY
KERN COUNTY
HYDROELECTRIC POWER PROJECT
ALLEN/KERN RIVER WILDLIFE SANCTUARY
Pacific Crest Trail
FORK
178
LEGEND
National Forest Boundary
Restricted Motor Vehicle Boundary
Dirt Road
Primitive Road
Road (Surface Unclassified)
Designated Two Wheeled Vehicles Only
Designated Vehicle Way
Maintained Trail
Infrequently Maintained Trail
Improved Campground
Forest Service Station
TEMPORARY LOCATION PACIFIC CREST TRAIL

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SOUTH FORK HYDROELECTRIC ASSOCIATION
ONYX PROJECT

CARL G. ALLEN
WILLIAM B. ALLEN
(213) 385-1678

SUITE 2320
3435 WILSHIRE BOULEVARD
LOS ANGELES, CA 90010

December 15, 1982

OVERVIEW OF SOUTH FORK OF THE KERN RIVER HYDROELECTRIC POWER POTENTIAL

For many decades the development of the hydropower potential of the South Fork of the Kern River (hereinafter "South Fork") in Kern and Tulare Counties of Southern California has been considered by public and private agencies, without any project yet reaching fruition.

For example, on January 14, 1921 the City of Los Angeles filed an application with the Federal Power Commission ("Project No. 152") calling for a public power project on the South Fork involving the same lands and waters with which the South Fork Hydroelectric Association, Onyx Project (FERC No. 6441) is now concerned.

On December 17, 1953 in issuing Patent No. 1142038 to Carl G. Allen granting him the NW¼NW¼ of Section 24, Township 25 South, Range 35 East, Mt. Diablo Meridian, the Federal government reserved "to the United States, its permitee or licensee, the right to enter upon, occupy, and use, any part or all of said lands for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063)." (The Federal Power Act)

"The California Water Plan" (Department of Water Resources Bulletin No. 3, p. 135) in 1957 states "Major new works contemplated for the Kern River include Rockhouse Reservoir and Power Plant, and Onyx Reservoir and Power Plant on the South Fork."

In 1964 the Act of Congress establishing the Domeland Wilderness Area which is contiguous to the Allen property in Section 24, specifically and purposely omitted from the Wilderness boundaries 1,100 acres of Sequoia National Forest upstream in anticipation of a possible future power project in that area.

In March, 1974 the State of California, Department of Water Resources, Bulletin No. 194, "Hydroelectric Energy Potential in California" (page 49) identified both the Rockhouse and Monache Meadows Projects on the South Fork.

In July, 1979 the U.S.Army Corps of Engineers "Preliminary Inventory of Hydropower Resources," Volume 2, Pacific Southwest Region, identified both the Onyx and Rockhouse Projects on the South Fork.

Currently there are four competing projects on file which the Federal Energy Regulatory Commission has accepted and is considering, all of which propose to divert South Fork water and convey it to a power house over land proposed for Domeland Wilderness - Additions II, by H.R. 4083 and S.1584.

sfha

Carl G. Allen Statement Re S.1584. 12/15/82-Attachment 2

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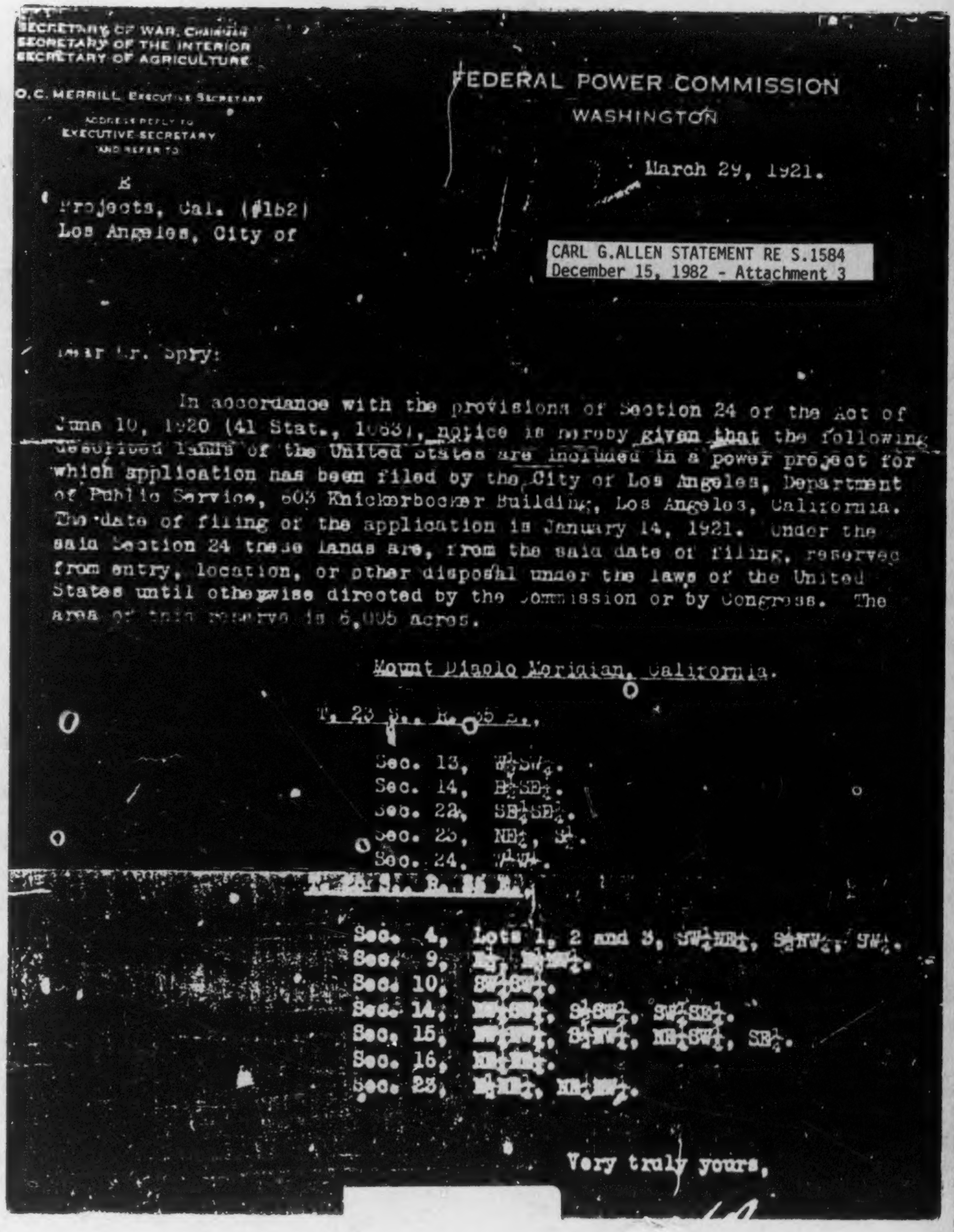

SECRETARY OF WAR, CHAIRMAN
SECRETARY OF THE INTERIOR
SECRETARY OF AGRICULTURE

O. C. MERRILL, EXECUTIVE SECRETARY

ADDRESS REPLY TO
EXECUTIVE SECRETARY
AND REFER TO

E
Projects, Cal. (#162)
Los Angeles, City of

FEDERAL POWER COMMISSION
WASHINGTON

March 29, 1921.

CARL G.ALLEN STATEMENT RE S.1584
December 15, 1982 - Attachment 3

Dear Mr. Spry:

In accordance with the provisions of Section 24 of the Act of June 10, 1920 (41 Stat., 1063), notice is hereby given that the following described lands of the United States are included in a power project for which application has been filed by the City of Los Angeles, Department of Public Service, 603 Knickerbocker Building, Los Angeles, California. The date of filing of the application is January 14, 1921. Under the said Section 24 these lands are, from the said date of filing, reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress. The area of this reserve is 6,005 acres.

Mount Diablo Meridian, California.

T. 23 S., R. 35 E.,

Sec. 13, W½SW¼.
Sec. 14, E½SE¼.
Sec. 22, SE¼SE¼.
Sec. 23, NE¼, S½.
Sec. 24, W½W½.

[illegible] S., R. 36 E.,

Sec. 4, Lots 1, 2 and 3, SW¼NE¼, S½NW¼, SW¼.
Sec. 9, E½, E½NW¼.
Sec. 10, SW¼SW¼.
Sec. 14, NE¼SW¼, S½SW¼, SW¼SE¼.
Sec. 15, NW¼NW¼, S½NW¼, NE¼SW¼, SE¼.
Sec. 16, NE¼NE¼.
Sec. 23, N½NE¼, NE¼NW¼.

Very truly yours,

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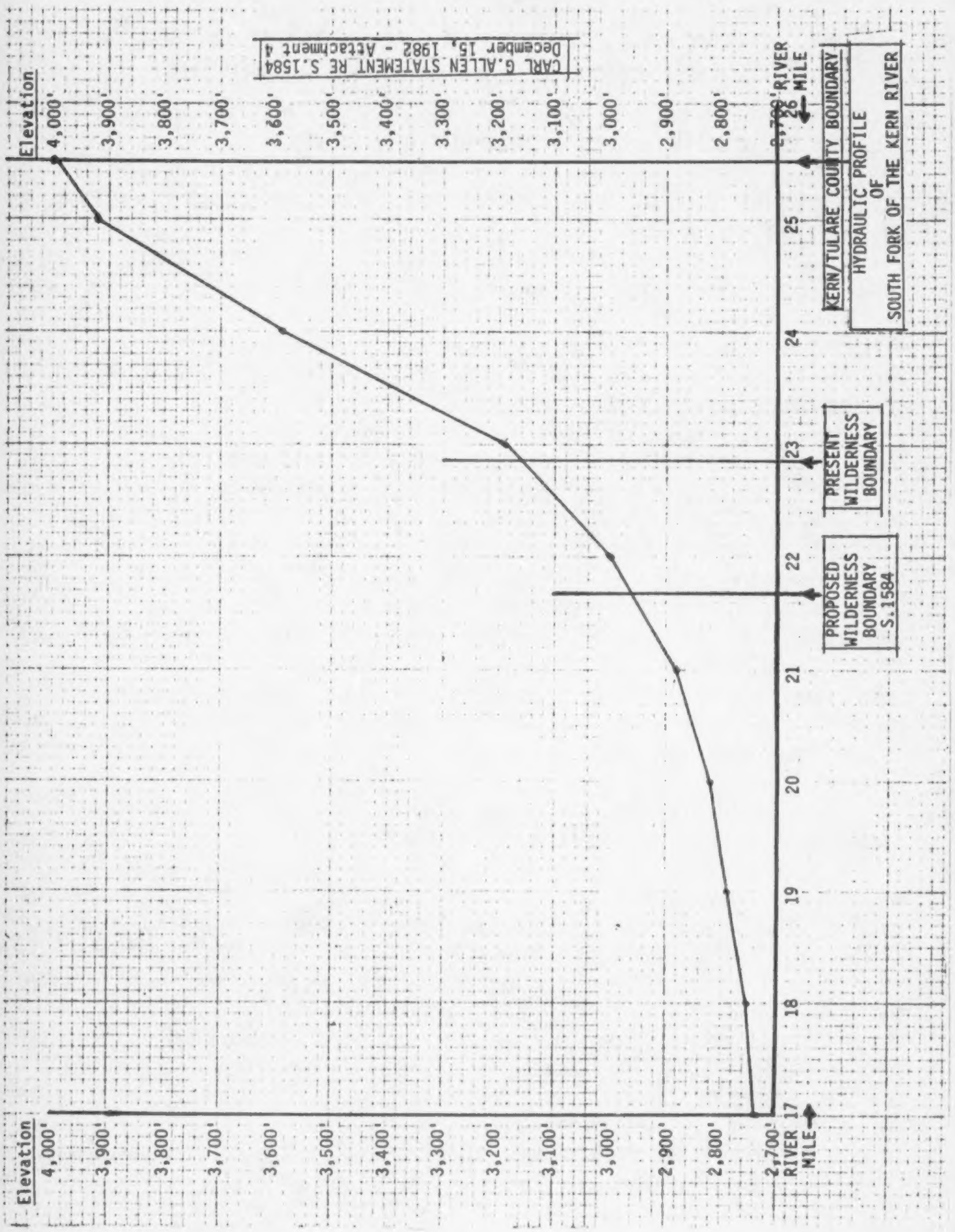

HYDRAULIC PROFILE OF SOUTH FORK OF THE KERN RIVER

CARL G. ALLEN STATEMENT RE S.1584
December 15, 1982 - Attachment 4

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Senator **Wallop**. Thank you.

STATEMENT OF PATRICIA HEDGE, CALIFORNIA-NEVADA REPRESENTATIVE, THE WILDERNESS SOCIETY

Ms. **Hedge**. I represent the Wilderness Society in the States of California and Nevada. Perhaps more important to me is the fact that I'm a fourth generation Californian, and my interests in my State go well beyond my professional commitment; it is a part of my own personal history.

I would like to submit my testimony for the record and give you a brief part of it, and also invite you to take a look at the December 1980 issue which I have given to you of our magazine, Living Wilderness, which has what I considered to be splendid photographs of wilderness areas in an article discussing the California wilderness bill.

Senator **Wallop**. With the understanding we will make that a part of the committee's files. I'm sure you understand how difficult it is for us to reproduce photographs and other things.

Ms. **Hedge**. I was inviting you to have that for your own benefit.

This act strikes a particular balance in allocating land between wilderness and nonwilderness uses, and resolves much of the uncertainty concerning the use of Federal lands. The proposal, which was reached after several days of previous congressional hearings and more than 2 years of negotiation, accommodates many of the concerns raised by private landowners, businesspeople, community leaders, and environmentalists throughout the State; it will resolve certain legal and procedural issues restricting the use of California forests.

I want to address briefly some of the views of the impacts of the passage of this bill that will be on timber production in the State. Looking at several analyses done by the forestry economists, the results have lead to similar conclusions. Henry J. Vaux, a professor in the School of Forestry and Resource Management, University of California-Berkeley, asks a question inverse to "how much wilderness can we afford?"—He asks instead, "How much land do we need for timber growing?" He concluded in his study that long-term timber production in California should be carried out on approximately 9.5 million acres, or slighty more than half of the 18 million acres of productive forest land in the State. If productive forest lands and wilderness areas are selected with an eye to minimizing conflicts between them, then California can be blessed with both more timber supplies and more wilderness.

In a preliminary analysis of the probable changes in future timber harvest in California's national forests, the Wilderness Society's economic policy department compared two particular options to determine the potential net impacts of enactment of the California Wilderness Act. Option 1 would assume that the act becomes law. Option 2 would assume that the national forest lands are allocated according to the Reagan administration's proposal modified to account for the *State of California* v. *Bergland* injunction.

Option 1 would place 2.1 million acres of national forest land in wilderness uses and tranfer 19,000 acres of national forest land to the national park system. Option 2, on the other hand, places 1.2 million acres in wilderness.

When you compare the completion of the study of the two, the two options differ by an amount of only 1.8 percent of the available productive forest land in California, and a reduction in maximum growth of less than 2 percent.

The findings in the economic policy department study are consistent with the work completed by Dr. Dennis Teeguarden at the University of California-Berkeley, who concluded that vast acreage could be added to the wilderness system without significant losses to the economy due to reductions in supplies of timber, grazing, lands, and nonwilderness recreation opportunities.

Addressing the question of the national park system, we strongly support the designation of wilderness in Yosemite National Park. Inclusion of the High Sierra and other magnificent unspoiled land in the Yosemite back country into the wilderness system has long been a major priority of the Wilderness Society. The area contained in this bill for Yosemite Wilderness is virtually identical to the recommendations forwarded to the Congress in 1980 by the Department of the Interior. Now that the Park Service has completed its plan for restoration of the natural beauty of Yosemite Valley, it is logical for Congress to preserve the surrounding wilderness in its unspoiled condition.

The wilderness boundaries in the House-passed California Wilderness Act for Sequoia-King's Canyon National Park do not include about 65,000 acres proposed for wilderness by the Park Service. The areas deleted from the bill are in the southern and western parts of Sequoia-King's Canyon, and include units 2 and 3 of the Park Service recommendation. They consist largely of relatively flat, rolling high country meadows, chaparral, and oak forests which add greatly to the ecologic diversity of the proposed wilderness. Unit 3 includes Muir Grove, a very beautiful expanse of old growth sequoia redwoods, as well as other similar but less prominent groves. These are all prime wilderness lands, and we are pleased to see their inclusion in the Cranston bill. This would be consistent with recent congressional actions in designating wilderness for the Everglades, Hawaii Volcanoes, Point Reyes, Fire Island, and other national park areas. Each of the wilderness boundaries for these parks are as large as the Department of Interior's recommendations.

I would like to conclude by saying I very much appreciate the opportunity to be heard. We urge you to take expeditious action on the California wilderness bill assuring not only the Federal protection of these lands, but also the release of the lands for the timber industry to deal with.

There are a couple of things I would like to add in response to previous testimony. The representative from the timber industry quoted the economic impact specifically in Trinity County, and I would like to share with you a quote that came in the minutes of their board of supervisors meeting:

> The Trinity County Board of Supervisors, after carefully studying the economic impacts of the proposed 500,000 acre Trinity Alps Wilderness, found that wilderness designation in Trinity County would withdraw only a small volume of the available

timber, and would cause negligible effects on the stability of local forest products industries and their employment.

Another figure is, referring to Trinity County, nonforest products employment is growing at the rate of 80 jobs per year in Trinity County with most of the growth in wholesaling and retailing. The Wilderness Act is expected to help insure continuation of this trend.

[The prepared statement of Ms. Hedge follows:]

THE WILDERNESS SOCIETY

FOUNDED IN 1935

STATEMENT OF PATRICIA HEDGE REPRESENTING THE WILDERNESS SOCIETY BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE ON THE CALIFORNIA WILDERNESS BILL, WEDNESDAY 15 DECEMBER 1982.

Mr. Chairman, I am Patricia Hedge, the California-Nevada Representative of The Wilderness Society. I am also a fourth generation Californian and my interest in the California Wilderness Act goes well beyond by professional commitment; it is a part of my personal heritage.

The Wilderness Society is a non-profit conservation organization, founded in 1935, dedicated to the proper management of public lands and the preservation of wilderness areas. The Society has a membership nationwide of 60,000 members, including more than 10,000 in California.

We are pleased to testify today on an issue of vital importance to the Society, and all who are concerned about preserving the nation's irreplaceable natural heritage.

INTRODUCTION

The voters of California have consistently expressed their determination to protect the natural resources remaining in their state for this and for the generations of people who will come after them. For two years now our Congressional Representatives have expressed the will of the people of our state by overwhelmingly voting to bring to fruition the designation of the Wilderness Areas that are specified in this Act. Every area listed in the California Wilderness Act is a survivor. A survivor of the most intense scrutiny, debate, and compromise; it is now time to act.

This Act strikes a particular balance in allocating land between wilderness and non-wilderness uses, and resolves much of the uncertainty concerning the use of federal lands. The proposal, which was reached after several days of previous Congressional hearings and more than two years of negotiation, accommodates many of the concerns raised by private landowners, businesspeople, community leaders, and environmentalists throughout the state; it will resolve certain legal and procedural issues restricting the use of California forests. While protecting important roadless areas, boundaries established in the Act release land for timber harvesting, permit the development of mineral deposits, allow expansion of ski areas and other facilities, and keep open trails used by off-road vehicle sportsmen. When legislation is enacted, the addition of 2.1 million acres of National Forest land and 1.4 million acres of National Park land will increase the total amount of designated wilderness in California to approximately 6.3 million acres.

IMPACTS OF THE CALIFORNIA WILDERNESS ACT

Much of the remaining controversy arises from differences of opinion concerning the impact of the Act on future timber supplies from National Forest land. The vast majority of the people of California believe that these additions of the undeveloped national forest land in California should be added to the National Wilderness Preservation System; there are others who argue that this action would substantially reduce future timber availability and result in severe economic impacts. However, compared to the proposals that have preceded it, the California Wilderness Act is a unique alternative. It recommends a different allocation of National Forest land, removes roadblocks created by the State of California v. Bergland[1] injunction, and aims to prevent future legal entanglements.

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[1] Because of the thorough review provided in the Congressional hearing process, the 1981 Act specifies that the State of California v. Bergland injunction shall no longer be in force and that the RARE II final environmental statement will no longer be subject to judicial review with respect to National Forest land in California. These provisions mean that 592,000 acres -- or 60 percent of the land currently under injunction -- will be immediately available for non-wilderness uses and that the threat of future RARE II wilderness-related lawsuits is eliminated.

To further reduce uncertainty concerning the use of forestland, the Act states that most roadless areas allocated to non-wilderness uses not be re-examined by the Forest Service prior to 1993, and that further planning areas are to be managed according to the National Forest Management Act of 1976. To discourage lawsuits, it specifies that non-wilderness areas need not be managed to protect their suitability for wilderness designation pending the revision of forest plans.

Several efforts directed at analyzing the probable effects of the California Wilderness Act have lead to similar conclusions. Henry J. Vaux[2], a Professor in the School of Forestry and Resource Management, University of California-Berkeley, asks a question inverse to "how much wilderness can we afford?" -- He asks instead, "How much land do we need for timber growing?" He concluded that long-term timber production in California should be carried out on about 9.5 million acres, or only slightly more than half of the 18 million acres of productive forestland in the state. If productive forestlands and wilderness areas are selected with an eye to minimizing conflicts between them, then California can be blessed with both more timber supplies and more wilderness.

In a preliminary analysis of the probable changes in future timber harvest in California's National Forests, The Wilderness Society's Economic Policy Department compared two particular options to determine the potential net impacts of enactment of the California Wilderness Act.

Option I - assumes that the Act becomes law
Option II - assumes that the National Forest lands are allocated according to the Reagan Administration's proposal modified to account for the State of California v. Bergland injunction.

Option I would place 2.1 million acres of National Forest land in wilderness uses and transfer 19,000 acres of National Forest land to the National Park system. Option II, on the other hand, places 1.2 million acres in wilderness. Therefore, measured in terms of total National Forest land permanently withdrawn from development activities, Option I exceeds Option II by 923,000 acres. However, when this comparison is measured in terms of

[2] Henry J. Vaux, "How Much Land Do We Need For Timber Growing?", Journal of Forestry, 71:399-403 (July 1973).

productive forestland, the additional acreage withdrawn under Option I is reduced to 304,000 acres. Thus, the two options differ by an amount equal to only 1.8 percent of the available productive forestland in California and a reduction in maximum net growth of less than 2 percent.

The findings in the Economic Policy Department study are consistant with the work completed by Dr. Dennis Teeguarden at the University of California-Berkeley, who concluded that vast acreage could be added to the wilderness system without significant losses to the economy due to reductions in supplies of timber, grazing lands, and non-wilderness recreation opportunities.[3]

NATIONAL PARK SYSTEM

We would also like to express our strong support for the designation of wilderness in Yosemite National Park. Inclusion of the high Sierra and other magnificent unspoiled land in the Yosemite back country into the Wilderness System has long been a major priority of The Wilderness Society. The area contained in this bill for Yosemite wilderness is virtually indentical to the recommendations forwarded to the Congress in 1980 by the Department of the Interior. Now that the Park Service has completed its plan for restoration of the natural beauty of Yosemite Valley, it is logical for Congress to perserve the surrounding wilderness in its unspoiled condition.

[3] This study looked at the costs of these non-wilderness resources for each RARE II area. If the areas with the lowest costs are added to the Wilderness System first, then conflicts between timber and wilderness can be avoided, and 2 million acres of wilderness can be added to the Wilderness System with only a small loss in development values. Since a great deal of the land studied under RARE II is not very productive for timber and other market outputs, then the losses due to foregoing these market outputs and designating the areas as wilderness are small.

We are aware of no opposition to the Yosemite proposal.

The wilderness boundaries in the House-passed California Wilderness Act for Sequoia/King's Canyon National Park do not include about 65,000 acres proposed for wilderness by the Park Service. The areas deleted from the bill are in the southern and western parts of Sequoia/King's Canyon, and include Units 2 and 3 of the Park Service recommendation. They consist largely of relatively flat, rolling high country meadows, chapparral, and oak forests which add greatly to the ecologic diversity of the proposed wilderness. Unit 3 includes Muir Grove, a very beautiful expanse of old growth sequoia redwoods, as well as other similar but less prominent groves. These are all prime wilderness lands, and we are pleased to see their inclusion in the Cranston Bill. This would be consistent with recent Congressional actions in designating wilderness for the Everglades, Hawaii Volcanoes, Point Reyes, Fire Island and other National Park areas. Each of the wilderness boundaries for these parks are as large as the Department of Interior's recommendations.

CONCLUSION

The Wilderness Society urges expeditious action on the California Wilderness Act, thereby assuring federal protection of many of our most precious lands for recreational, scenic, scientific, educational, conservation, and historic uses.

Senator WALLOP. Thank you.

STATEMENT OF RUSSELL SHAY, CALIFORNIA-NEVADA REPRESENTATIVE, THE SIERRA CLUB AND THE CALIFORNIA WILDERNESS COALITION

Mr. SHAY. My name is Russell Shay and I work for the Sierra Club and for its 115,000 members of California and Nevada on matters pertaining to Federal land management, and I'm testifying today both for the Sierra Club and for the California Wilderness Coalition which is an alliance of organizations, businesses, and individuals throughout California who work for the preservation of our public wildlands.

I wish to begin today by thanking you for holding this hearing. No issue is viewed as more important by the organizations I am representing today than that addressed by S. 1584. The passage of a statewide California RARE II bill has been my top priority for 4 years.

In that 4 years I have been witness to or part of an extraordinary amount of work by State and local government, by every affected interest group, and by Members of the House of Representatives and their staffs, in putting together the bill before you today.

The House of Representatives has given extensive, detailed consideration to every aspect of this legislation. In my statement I go through some of the history. Basically, all together, there have been 8 days of hearings, and they have been very full days on this matter on the House side. The record of those hearings include long and detailed and very specific comments from every interest group, including the Forest Service and numerous spokesmen for our State's timber industry.

The information presented in those hearings was the basis for the boundaries in the bill, and for its legislative provisions. The record of those hearings is more aptly measured in pounds than pages. But that record, for all its bulk, was only the tip of the iceberg. It does not show the countless hours local interests spent with their congressional representatives, or working with other interest groups to work toward some consensus.

In some cases they were successful. In some cases one side yielded, the other side said it wasn't enough. There was an effort made. There was also very detailed examination of almost every mile of wilderness boundary proposed, and often that process took place in the offices of the Congressmen in whose districts these proposals of wilderness areas lead.

I was present in the offices of Congressman Charles Pashayan and Congressman Bill Thomas when boundaries now incorporated in S. 1584 were drawn by their staff.

I do not mean to put this forward as a perfect piece of legislation. It certainly is not that. But I do want the committee to understand that an enormous amount of work went into this bill, and all of it was into producing a workable bill, one that took all concerns into account and came up with a practical and pragmatic resolution of a very complicated and controversial issue.

The Sierra Club and the California Wilderness Coalition support passage of S. 1584. We have many bones to pick and some differences which I would say are more serious than others. I have dealt with almost all of them at one time or another, and I note a few in my comments, including the fate of Blue Creek and Dillon Creek areas in Siskiyou and Del Norte Counties, the Big Butte-Shinbone Area in Mendocino and Trinity Counties, the North Fork American Area in Nevada County, the Gabbot Meadows Area in Alpine County, the Sespe-Frazier Area in Ventura County, the Kings River Area in Fresno County, and part of the Sheep Mountain Area in Los Angeles County.

From the top of our State to its southernmost extreme there are numerous controversies and numerous compromises that were made. I could cite many more. The chairman recently heard a panel on the Mount Shasta Wilderness bill which was sponsored by Senator Cranston. It did not include the contraversial areas that the conservation considered to be the heart of their proposal from the Mount Shasta Wilderness. Those same people, though they oppose that individual boundary, have indicated that they would support Senator Cranston's bill because they recognize the need for a compromise that is enactable. It was not only the boundaries and allocations in this bill which were subject to compromise, the sufficiency language was also the product of a compromise. It was a compromise in which some refused to sign on. Like the other portions of the bill, it is a workable solution.

The sufficiency language developed for H.R. 4083 has worked. It's a proven solution in those States where the California sufficiency language was enacted, particularly in New Mexico, Colorado, and Alaska.

Development of release lands and Forest Service nonwilderness recommendations has proceeded, and has proceeded without a legal challenge. Although the ninth circuit decision affirmed the *California* v. *Bergland* has caused the Forest Service to doubt the validity of their RARE II decisions in other States, the States which have passed wilderness bills with the California language have moved beyond RARE II, and beyond the impact of that court decision. It is my greatest regret in this whole matter that that decision was not mooted before the appeal was decided by the passage of the California wilderness bill.

In California, however, as things turn out, we are still stuck in RARE II. I urge this committee and its members and the chairman to do everything they can to move this bill forward and get us out of RARE II.

I believe sincerely that this bill has broader support than any other conceivable package could have. It has had the benefit of detailed input from all affected parties, and the attention of a dozen Members of the House.

I have mentioned many of the points we don't like about this legislation. I am sure the other interests could similarly generate a list of what they consider the worst shortcomings of this bill. All of these concerns were aired on the House side, and the House chose a course which it thought balanced the different interests.

The Senate may decide to wait until the next Congress, so that it can give its own consideration to the detailed merits and demerits of RARE II in California. If so, I urge the chairman to give priority to the consideration of this issue. The detail of the issue is immense.

Of one thing I am confident: That whatever the contents of a California RARE II package this committee comes up with, it could not possibly have broader support than the bill before you now.

The Sierra Club and the California Wilderness Coalition support passage of S. 1584 as a compromise all parties can live with. We believe that an extensive record exists in the House to support the passage of this bill by the Senate in this session, and we urge you to do all you can to achieve that end. Thank you.

[The prepared statement of Mr. Shay follows:]

TESTIMONY ON S. 1584

CALIFORNIA WILDERNESS LEGISLATION

BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS

DECEMBER 15, 1982

SUBMITTED BY RUSSELL SHAY
SIERRA CLUB CALIFORNIA-NEVADA REPRESENTATIVE
6014 COLLEGE AVE.
OAKLAND, CA 94618

ON BEHALF OF THE SIERRA CLUB AND THE CALIFORNIA WILDERNESS COALITION
BOX 891
DAVIS, CA 95616

SIERRA
CLUB
330 Pennsylvania Avenue, S.E., Washington, D.C. 20003 (202) 547-1141

Mr. Chairman and members of the subcommittee: my name is Russell Shay and I work for the Sierra Club and its 115,000 members in California and Nevada on matters pertaining to federal land management in those states. I am testifying today both for the Sierra Club and for the California Wilderness Coalition, an alliance of organizations, businesses, and individuals throughout California who work for the preservation of our public wildlands.

I wish to begin today by thanking you for holding this hearing. No issue is viewed as more important by the organizations I am representing today than that addressed by S. 1584. The passage of a statewide California RARE II bill has been my top priority for 4 years.

In that four years I have been witness to or part of an extraordinary amount of work by state and local government, by every affected interest group, and by members of the House of Representatives and their staffs, in putting together the bill before you today.

The House of Representatives has given extensive, detailed consideration to every aspect of this legislation. On March 8th and June 25th, 1979, the House Subcommittee on Public Lands held oversight hearings on RARE II in which several California RARE II proposals were discussed. The Subcommittee toured many of the most controversial RARE II areas in our state and met with various interest groups and local officials in California the week of June 29th-July 6th, 1979.

The Subcommittee held hearings in Washington, D.C. on November 13, 14, and 15, 1979, hearing testimony from 50 witnesses. That lead to the introduction and passage of H.R. 7702 by the House of Representatives in the 96th Congress.

As the Senate took no action on that bill, the House began anew in

BEST COPY AVAILABLE

the 97th Congress, holding field hearings in Weaverville, California on May 22, 1981, at which 167 witnesses testified. Additional hearings were held in Washington, D.C. on June 18 and 19, 1981, at which 23 witnesses testified. On July 15th, 1981, the subcommittee favorably reportedd H.R. 4083 by voice vote. The full Interior Committee followed suit, and the House passed the bill by unanimous consent.

All together, there have been eight days of hearings on this matter on the House side. The record of those hearings includes long, detailed and specific comment from every interest group, including the U.S. Forest Service and numerous spokesmen for our state's timber industry.

The information presented in those hearings was the basis for the boundaries in the bill, and for its legislative provisions. The record of those hearings is more aptly measured in pounds than pages. But that record, for all its bulk, was only the tip of the iceberg. It does not show the countless hours local interests spent with their Congressional Representatives, or working with other interest groups to work towards some consensus.

Nor does it show the detailed examination of virtually every mile of wilderness boundary proposed. Often, that process took place in the offices of the affected Congressmen. I was present in the offices of Congressman Charles Pashayan and Congressman Bill Thomas when boundaries now incorporated in S. 1584 were drawn by their staff.

I cite all this not to portray this as a perfect piece of legislation--it is not--but to show that the bill was the product of an enormous amount of work, all of which was aimed at producing a workable bill--one that took all concerns into account and came up with a practical, pragmatic resolution of a complicated issue.

We support passage of S. 1584 as a working resolution of RARE II in Califoria. It is not a perfect bill--a perfect resolution of all the diverse and divergent interests affected by wilderness allocation in California is not possible. I feel well qualified to talk about what

California conservationists see as severe shortcomings in the bill.

Local wilderness advocates and groups have fought hard for the protection of many RARE II areas passed over by S. 1584. These include the Blue Creek and Dillon Creek areas in Siskiyou and Del Norte Counties, the Big Butte-Shinbone area in Mendocino and Trinity Counties, , the North Fork American area in Nevada County, the Gabbot Meadows area in Alpine County, the Sespe-Frazier area in Ventura County, the Kings River area in Fresno County, and part of the Sheep Mountain area in Los Angeles County.

I could cite many more. The Chairman recently heard a panel of conservationists oppose a Mt. Shasta Wilderness bill sponsored by Senator Cranston because it does not include controversial areas which they consider to be the heart of their proposal for a Mt. Shasta Wilderness.

The boundaries for wilderness proposals, and the selection of RARE II Further Planning areas to be "released" as non-wilderness areas, were not the only subjects of compromise in the putting together of S. 1584. The "sufficiency" language of section 12 of the bill was also the product of compromise. Like other portions of the bill, it is a compromise that doesn't satisfy some of the parties involved--i.e, the timber industry. But however much they may not like that language, they cannot say that it isn't a workable solution.

The sufficiency language developed for H.R. 4083 has worked. It is a proven solution. In those states where the California sufficiency language was enacted as part of a statewide RARE II bill (New Mexico, Colorado and Alaska), development of "released" lands and Forest Service non-wilderness recommendations has proceeded without a hitch. And though the 9th Circuit Court decision affirming California v. Bergland has caused the Forest Service to doubt the validity of their RARE II decisions in other states, the states which have passed wilderness bills with the California language have moved beyond RARE II--and beyond the impact of that court decision.

In California, however, we are still stuck in RARE II. I urge this committee and its members to do everything they can to move this bill forward and get us out. This bill has broader support than any other conceivable package could have. It has had the benefit of detailed input from all affected parties, and the attention of a dozen members of the House.

I have mentioned some of the points we don't like about this legislation. I am sure other interests could similarly generate a list of what they consider the worst shortcomings of S. 1584. All of these concerns were aired on the House side, and the House chose a course it thought balanced the different interests.

The Senate may decide to wait until the next Congress, so that it can give its own consideration to the detailed merits and demerits of RARE II in California. If so, I urge the Chairman to take give priority to the consideration of this issue. The detail of the issue is immense.

Of one thing I am confident: that whatever the contents of a California RARE II package this committeee comes up with, it could not possibly have broader support than the bill before you now.

The Sierra Club and the California Wilderness Coalition support passage of S. 1584 as a compromise all parties can live with. We believe that an extensive record exists in the House to support the passage of this bill by the Senate in this session, and we urge you to do all you can to achieve that end.

* * *

Senator WALLOP. Thank you, Mr. Shay. The Senate was not involved in any way crafting the compromise of which you are speaking. Perhaps had that been part of the process it might be farther along.

Mr. SHAY. With that in mind, I again urge the committee to take up this matter as soon as they can if they decide they cannot proceed at this time.

Senator WALLOP. Would the Sierra Club support national sufficiency language?

Mr. SHAY. No, sir.

Senator WALLOP. Why should we relieve California and leave all the other States on the threshold of RARE II?

Mr. SHAY. I cannot speak for the other States, but I can speak to the situations we see in California. We believe that the sufficiency problem is part and parcel of the RARE II problem which we believe is essentially a local or statewide problem, and we believe that political solution at the statewide level is the way to go.

Senator WALLOP. Would you pass that on to the members of your society so that Wyoming can proceed in the way which Wyoming would like?

Mr. SHAY. I will do that, sir.

Senator WALLOP. We now have our full delegation and all we have is opposition.

Mr. SHAY. As I have pointed out, we have many problems with this legislation. I've had to work very hard to persuade the wilderness constituency in California which is very large. This bill is an acceptable bill.

Senator WALLOP. Would either of you comment on what I think is a very creative piece of testimony from Mr. Allen? Would you support his suggestion of the hydroelectric authorization?

Mr. SHAY. I'll be sure to get a copy of Mr. Allen's testimony, and I'm open to discussing that as we have discussed all of these boundaries.

Senator WALLOP. It's not so much boundary changes an authorization. To make it at least effective, if it's going to be in existence at all, as I understand it, it could be in existence below wilderness boundaries, but it would affect the wilderness by its creation.

If you are going to have something that affects it in one way, you at least ought to have the full affect of it, the full beneficial affect of its potential.

I would hope that both the Sierra Club and Wilderness Society would take a careful look at that testimony, because I was very much impressed with it and I understand what it is he's trying to do. I think if you are going to do something that affects the wilderness qualities, that you ought to get the full benefit of whatever it is you're doing. In that instance I would hope that some of the tests that sometimes apply to these situations would take into account the other environmental concept which is offered in that testimony.

As is usually the case with wilderness testimony, it develops the controversy and rarely provides the solution to it.

I do appreciate your coming here, and I do appreciate the purpose of your testimony.

I would really urge you to take a serious look at Mr. Allen's testimony.

Mr. SHAY. If I may briefly add, that this hearing was called on fairly short notice and I've spoken to a number of people in California who wanted to pass along their support and their regrets that they were not able to make it.

Senator WALLOP. I understand that. I would also hope that you would take a look at the record in this hearing and the statement you made about a State-by-State process and urge your members to accommodate that political process when it has achieved consensus.

Mr. SHAY. Thank you. I'll pass along your words.

Senator WALLOP. A controversy that is implicit or has been identified in this bill arises from perhaps a different perspective than the controversy that arises in the Wyoming bill. If one can be accommodated, surely the other can be as a matter of a philosophical consistency.

I appreciate your testimony.

The next panel will be called after we take a 5-minute recess.

[Whereupon, a short recess was taken.]

Senator WALLOP. I call the subcommittee back to order and ask the panel consisting of Nancy Ingalsbee, director of government relations, U.S. Ski Association; and John F. Wetzel, representing the American Motorcyclist Association and the Motorcycle Industry Council.

I welcome you both.

STATEMENT OF NANCY J. INGALSBEE, DIRECTOR OF GOVERNMENT RELATIONS, U.S. SKI ASSOCIATION

Ms. INGALSBEE. My name is Nancy Ingalsbee and I'm here today representing the U.S. Ski Association. USSA is a national membership organization of individual skiers, the officially recognized voice of American skiers, and is also the national governing body for the sport of skiing. In addition, we have the responsibility of fielding the U.S. ski team, and we take great pride in their accomplishments of the past few years. I am here today to express USSA's concern regarding S. 1584, and its companion in the House, H.R. 4083, the California RARE II Act of 1981.

I have a prepared statement and I would like it submitted for the record.

Senator WALLOP. It will be submitted.

Ms. INGALSBEE. RARE II has a tremendous impact on skiing due to the fact that 22 ski areas are located entirely in the national forest boundaries and 10 more are partially in the Forest Service jurisdiction. Almost all of the identified ski terrain in the State is in or adjacent to a RARE II area.

While ski demand has risen steadily every year, including these recent years of economic hardship, no new ski development has been approved for construction since 1969.

In the beginning of the RARE II process California skiers were one of the major factors in the formation of a coalition of public land users in the State. For the first time those of us who depend upon public lands came together to speak and act with one voice on problems related to wilderness withdrawals.

Unfortunately, although S. 1584 addresses the problems of California skiers, the House bill did not reflect some of the priorities the U.S. Ski Association has related to skiing in California. There are three major problems. The first is that the expansion potential for Mount Baldy ski area has been placed within the boundaries of the Sheep Mountain Wilderness. Mount Baldy is an area within 1 to 2 hours driving time of Los Angeles. It is estimated that of the approximately 1 million skiers in California, roughly two-thirds live in this region. At the present time they face enumerable difficulties, including incredibly long lift lines. I have stood in lines that lasted 1 hour and 20 minutes, skiing by reservation only on slopes so crowded as to present a safety hazard.

The expansion of Mount Baldy is critical to address these severe needs. In hearings in Congress and in numerous studies it has been clearly proven that the small amount of acres necessary for the ski expansion at Mount Baldy—we are speaking of roughly 600 acres out of a 44,000-acre wilderness—would in no way negatively impact the Sheep Mountain Wilderness or the bighorn sheep it is designed to protect.

In addition to the Mount Baldy problem, the last two areas of major development potential in the State that are not included within the wilderness and national park are Mitchell Maddox in the Sequoia National Forest and Pacific Valley. Boundary lines drawn in the House-passed legislation would probably prevent future development, although the ski terrain has been left outside the area in both instances.

From Mitchell Maddox it is a boundary line at the top of a ridge abutting an addition to a national park. We are sure that unless the line is dropped down over the side of the ridge, we will be faced with administrative appeals and lawsuits and all sorts of delays for ski development.

For Pacific Valley the problem lies with realinement of the necessary access road. Both the proposals for the Federal and State realinement were included within the boundary of the wilderness.

The United States Ski Association has always supported a quality wilderness system. Our members are environmental as much as anyone and they have a deep loving respect for the mountains and the natural resources.

However, we feel that the House-passed bill with the problems I have noted does not address the critical needs of California skiers.

We are proud of our ski industry which continues year after year to search for innovative ways in which to develop ski areas in an environmentally sound manner.

The ski industry has long been a leader in technique such as helicopter placement of lift towers in order to provide the sport of skiing to the public in nondamaging ways.

California skiers are simply desperate for more terrain. It should be recognized also that skiing enables us to use a relatively small amount of land to satisfy the recreational needs of a large percentage of people. Out of the 20 million acres of national forest lands in the State of California skiers are using only 16,000 acres, the same 16,000 acres we have been using for a number of years. United States Ski Association feels the question of RARE II would be better addressed in the beginning of the next session of Congress, and we will have the time to remedy the problems we have stated.

We believe that delaying it until next year will allow us to reach a decision we can all come to with pride. We thank you for the opportunity to present our views.

[The prepared statement of Ms. Ingalsbee follows:]

UNITED STATES
SKI ASSOCIATION

STATEMENT OF

NANCY J. INGALSBEE

DIRECTOR OF GOVERNMENT RELATIONS

UNITED STATES SKI ASSOCIATION

Before The

Subcommittee on Public Lands & Reserved Waters
Senate Energy & Natural Resources Committee

On

S.1584 CALIFORNIA WILDERNESS ACT OF 1981

December 15, 1982

USSA
SPORTS
DIVISION

1919 PENNSYLVANIA AVE., N.W./SUITE 300
WASHINGTON, D.C. 20006 202/659-8814

Mr. Chairman, Members of the Committee, my name is Nancy Ingalsbee, and I am here today representing the United States Ski Assciation. USSA is a national membership organization of individual skiers, the officially recognized voice of American skiers, and is also the national governing body for the sport of skiing. In addition, we have the responsibility of fielding the U. S. Ski Team, and we take great pride in their accomplishments of the past few years. I am here today to express USSA's concerns regarding S.1584, and its companion in the House, H.R.4083, the California RARE II Act of 1981.

Our members have been intimately involved in the RARE II process from its very beginning, and we appreciate this opportunity to relay our feelings on this matter to your Committee. RARE II has tremendous impact upon California skiing in light of the fact that most of our ski areas are located upon National Forests, with 22 areas totally with the boundaries, and 10 partially located in National Forests. Thirty-nine areas in California have been identified which have ski terrain, either adjacent to or in some way affected by RARE II. For several years now, growth of ski resorts and expansion of skiing opportunities in the West has been held hostage by an overreaction to environmental problems, and by a continuing progression of land withdrawals and Wilderness studies, sparked by those who consider Wilderness and land preservation as the only answer to resource protection.

While ski demand has risen steadily every year, including these recent years of economic hardship, no new ski development has been approved for construction since 1969. We face the immense problem that the type of land which contains ski terrain, is also the same beautiful mountain land most prized by Wilderness advocates. The concept of equity in access, of sharing and of balanced resource use has fallen by the wayside, as one by one, California's possible new ski areas have become Wilderness, or been placed within National Park boundaries in order to prevent ski development.

California skiers were one of the first groups to become actively involved in the RARE II process. We quickly saw the possible impact upon our sport and, with USSA in the lead, began an active campaign of education and information for skiers all across the Nation. California's skiers in particular have a long history of letter writing and active interest in public lands issues, but the response to RARE II was historic, both in its quality and in the numbers. These skiers, along with their fellow skiers in all other states, will be carefully watching the actions of the Senate, and this Committee, regarding this legislation. The one million skiers in California have taken their problems to their fellow skiers all across this Nation, and the positive response has been extremely gratifying.

In the beginning of the RARE II process California skiers were one of the major factors in the formation of a coalition of public land recreational and resource users. For the first time those of us who depend upon these vital lands came together to speak and act as one voice on the problems related to Wilderness withdrawals. We began to look at the overall impact of RARE II rather than to our own parochial concerns, and we tried very hard to assess and analyze the so-called "big picture", and then incorporate all our individual needs into a coordinated, cooperative proposal. Within this group we worked out a reasonable balance between Wilderness proposals and recreational and resource needs.

Unfortunately, the legislation passed by the House in 1981 did not adequately respond to broad based concerns, and problems that the Coalition had successfully addressed in their sponsored legislation were reversed and dealt with in an inequitable manner. The United States Ski Association has three major problems with the House-passed legislation. The first is that Congressman Burton unilaterally amended the bill to put the much-needed expansion potential for the existing Mt. Baldy Ski Area into the Sheep Mountain Wilderness. In extensive hearings and public comment opportunities, it had been clearly proven that the small amount of acres necessary for the ski area expansion were legitimately qualifed for this type of use, and that their use for skiing would in no way impact upon the Sheep Mountain Wilderness, nor have negative impacts upon the Bighorn Sheep the area is intended to protect.

Mt. Baldy is an area within one to two hours driving time of the greater Los Angeles basin. Of the one million skiers in California, it is estimated that two-thirds of them reside in this area. At the present time they face innumerable difficulties in enjoying the sport they favor. Incredibly long lift lines, often in excess of one hour, skiing by reservation only, and slopes so crowded as to represent a serious safety problem. The expansion of Mt. Baldy is critical to address these severe needs. The terrain is excellant, and would go a long way toward alleviating some of the critical conditions for Southern California skiers. To have these roughly 600 acres unfairly added to a Wilderness of over 44,000 acres, just to "punish" skiers as Congressman Burton stated it was his intention at the House RARE II hearings, is unconscionable.

In addition to the above problem, the last two remaining pieces of identified ski terrain for future development not already put into Wilderness are Pacific Valley, in Northern California, and Mitchell Maddox in Southern California. Although both of these areas have their ski terrain ouside any proposed Wilderness in this legislation, they will more than likely be prevented from future development because of other problems related to the Wilderness boundaries. For Pacific Valley, the concern lies in the fact that the necessary realignment proposals for the road lie within Wilderness. Two studies have been undertaken to plot the realignment, one by the State and one by the Federal Government, both which have been included in Wilderness.

For Mitchell Maddox, the concern is that the Wilderness boundary line has been drawn at the top of a ridge connecting the ski terrain with the Wilderness. The chance that a ski area would ever be developed, with lift towers rising on the boundary of a Wilderness, is quite remote.

Senator Cranston has for the past few years been a good friend of California's skiers, and he has made a commitment to us to deal with the above mentioned problems in Senate legislation. However, at this point in time, with the many critical problems that the Congress is attempting to deal with in the relatively short span of time encompassing the lame duck session, we are extremely worried about the possibility that any legislation passed would still contain the three problems we have cited. If this legislation were to be different than that passed by the House, the conferees might not have the time to fully analyze and review this problem during the conference committee session, in order to produce a decision equitable to California's skiers.

The United States Ski Association has always supported a quality Wilderness System. Our members are environmentalists as much as anyone is, and they have a deep respect and love for our natural resources. However, we feel that the past few years has seen a disturbing direction being taken, with too much emphasis upon Wilderness, and not enough concern or attention paid to other resource needs. Skiing is but one part of a large whole that encompasses a diversity of recreational activities, plus energy, timber, mineral, farming and food production needs. We cannot, in essence, put all our eggs in one basket, and we must not depend upon Wilderness set asides as the only means of resource protection. Just as ski areas have come into the Twentieth Century with new methods of environmentally sound development, so have other users gained the kinds of technical knowledge which enables us to produce, as we protect. Skiers are proud of our ski industry, which continues year after year to search for innovative methods of ski area development. The ski industry has long been a leader in environmental research, pioneering techniques such as helicopter placement of lift towers, in order to bring skiing to the public in non-damaging ways.

The United States Ski Association respectfully requests that a complete and careful examination of all the California RARE II impacts be conducted by the Senate in the next session of Congress, so that in the end we can all point with pride to a product achieved through cooperation, compromise, and the working together of a broad coalition of those interested in, and dependant upon, our public lands. Access to public lands for sking, fishing, snowmobiling, picnicing, hiking, hunting, recreational vehicle use, as well as many other legitimate uses, must be provided. The need to enjoy the out-of-doors crosses all lines of age, health or financial wellbeing. We need sufficient multiple use lands in order to provide the balance of uses needed to satisfy this wide cross section of the American public.

We thank you for the opportunity to present our comments on this matter of extreme importance to the United States Ski Association, the one million skiers of California, and of their fourteen million friends and fellow skiers all across this Nation.

Senator WALLOP. Thank you.

STATEMENT OF JOHN F. WETZEL, JR., AMERICAN MOTORCYCLIST ASSOCIATION AND THE MOTORCYCLE INDUSTRY COUNCIL

Mr. WETZEL. Mr. Chairman, with your permission I would like to read a shortened version of my prepared remarks.

Mr. Chairman, I am John Wetzel, director of Federal Government Relations for the Motorcycle Industry Council, a nonprofit national trade association which represents manufacturers and distributors of motorcycles and suppliers of related products and services. I am testifying on behalf of my group and also on behalf of the American Motorcyclist Association, a membership organization made up of more than 135,000 individuals, many of whom ride motorized trailbikes.

S. 1584 and H.R. 4083 would designate 53 new wilderness areas on national forest lands in the State of California. They would place 2.1 million acres in wilderness—some 800,000 acres more than the Forest Service recommended in 1979 as a result of the agency's second Roadless Area Review and Evaluation. While some of the areas included in S. 1584 and H.R. 4083 may have natural conditions and unimpaired characteristics as specified in the Wilderness Act of 1964, some clearly do not.

For instance, the Domelands Wilderness Additions contain 11 miles of approved, designated motocycle trails and 16 miles of established dirt roads. The South Sierra Wilderness contains 16 miles of designated motocycle trails and 5 miles of established dirt roads.

And the Monache Wilderness study area contains 30 miles of motorcycle trails and 25 miles of dirt roads.

In these and other areas, evidence of man is readily apparent. Improvements, structures, and offsite intrusions can be found in many locations.

Yet, according to the Wilderness Act of 1964, a wilderness area is an area without permanent improvements and with the imprint of man's work substantially unnoticeable. Section 4(c) of the Wilderness Act states there shall be "no permanent road within any wilderness," and, "there shall be no temporary road, and no structure or installation within any such area."

It is clear the Domelands, South Sierra, and Monache areas do not meet original congressional criteria for wilderness. We believe other areas in S. 1584 and H.R. 4083, such as those recommended by the Forest Service for further planning and nonwilderness, may fail to meet those criteria as well.

Trailbike organizations help maintain trails in many of these less-than-pristine areas. Trailbike clubs which have favorite riding sites often participate in the Forest Service adopt-a-trail program. Under the program, volunteers donate time and effort to groom and maintain trails on a periodic basis. Some registration fees collected from trailbike users by the State of California also are turned over to the Forest Service for trail-related expenses which the agency incurs.

If further planning and nonwilderness areas are designated as wilderness, volunteers who have labored long and hard to maintain trails in these areas will feel abused and cheated. Designation also would preclude development of new motorcycle trails to meet increasing demand. Riding opportunities such as those on Forest Service land in California simply do not exist in many spots.

The motorcycle community finds it distasteful that present wilderness policies flatly prohibit the use of motorized vehicles. Trailbike riders appreciate scenic vistas and, believe it or not, opportunities for quiet reflection just as hikers and backpackers do. The only difference is that trailbike riders use machines to get where they're going. Besides, new model trailbikes are not noisy. Except for the relative handful of motorcycles that have been modified by irresponsible owners, trailbikes are seldom heard more than 250 yards away.

The motorcycle community does not object to designating truly natural and untrammeled areas as wilderness. Unfortunately, many areas in S. 1584 and H.R. 4083 apparently would have to be rehabilitated before they could considered true wilderness. While we believe it would be useful to experiment in some of these questionable areas with a controlled mixture of wilderness and motorized recreation uses, we recognize that this may be difficult to achieve.

Trailbike riders, like the vast majority of Americans, are outdoor recreationists who have a stake in the protection of natural areas, but for whom protection does not mean elimination of their recreation use of these areas. Every individual who enjoys recreational opportunities for family outings by boat, horseback, camper, on foot, and trailbike is included. By and large, these outdoor recreationists favor skillful professional management of public lands to accommodate their diverse recreational needs and still protect the environment.

Unless some accommodation can be reached between those who seek to expand the wilderness system to the greatest extent possible and those who seek to protect but not eliminate use of recreational areas, the motorcycle community must continue to oppose enactment of S. 1584 and H.R. 4083.

That concludes my formal statement. I would ask that I be allowed to submit some additional information on the Domeland, South Sierra, and Monache areas for the committee's files, and I'll be happy to answer any questions you might have.

[The prepared statement of Mr. Wetzel follows:]

STATEMENT OF
JOHN F. WETZEL, JR.
REPRESENTING THE
AMERICAN MOTORCYCLIST ASSOCIATION
AND
MOTORCYCLE INDUSTRY COUNCIL
BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
ON
S. 1584 AND H.R. 4083

DECEMBER 15, 1982

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Trailbike organizations help maintain trails in many of these less-than-pristine areas. Trailbike clubs which have favorite riding sites often participate in the Forest Service adopt-a-trail program. Under the program, volunteers donate time and effort to groom and maintain trails on a periodic basis. Some registration fees collected from trailbike users by the state of California also are turned over to the Forest Service for trail-related expenses which the agency incurs.

If further planning and non-Wilderness areas are designated as Wilderness, volunteers who have labored long and hard to maintain trails in these areas will feel abused and cheated. Designation also would preclude development of new motorcycle trails to meet increasing demand. Riding opportunities such as those on Forest Service land in California simply do not exist in many spots. Only a handful of other places in the United States offer trails of comparable quality for a truly unique recreational experience.

When families and individuals are excluded from areas of traditional off-road vehicle use, they seek new places to recreate. Remaining legal riding areas become overcrowded, and opportunities for seclusion diminish. In extreme instances, overcrowding can cause degradation of remaining trails and resources, and thus, a corresponding loss in the quality of the experience. Unfortunately, such severe restrictions also may lead to an increase in trespassing on unapproved lands, adding to enforcement problems and engendering yet further restrictions.

The motorcycle community finds it distasteful that present Wilderness policies flatly prohibit the use of motorized vehicles. Trailbike riders appreciate scenic vistas and (believe it or not) opportunities for quiet reflection just as hikers and backpackers do. The only difference is that trailbike riders use machines to get where they're going. Besides, new model trailbikes are not noisy. Except for the relative handful of motorcycles that have been modified by irresponsible owners, trailbikes are seldom heard more than 250 yards away.

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Unless some accomodation can be reached between those who seek to expand the Wilderness system to the greatest extent possible and those who seek to protect but not eliminate use of recreational areas, the motorcycle community must continue to oppose enactment of S. 1584 and H.R. 4083.

Mr. Chairman, that concludes my formal statement. I would like ask that I be allowed to submit additional information on the Domelands, South Sierra, and Monache areas for the record and I would be glad to answer any questions you might have.

Senator WALLOP. Thank you very much.

Mr. Wetzel, Ms. Ingalsbee, would you agree with the statement in Senator Cranston's testimony that all potential ski areas on public lands in California have been carved out?

Ms. INGALSBEE. We've spent an extensive amount of time working with Senator Cranston and trying to—I mean we did give up many areas. We worked with him to decide on the major ones.

Senator WALLOP. It sounded like such a sweeping statement.

Ms. INGALSBEE. I would say that it's pretty sweeping. I think that Senator Cranston did an excellent job. I just can't applaud him enough. He made that a priority.

Senator WALLOP. But would California skiers make recommendations for the development of ski areas on some lands that are included in these proposals?

Ms. INGALSBEE. There is one at Raymond Peak.

Senator WALLOP. I wonder if either your organization or an organization of California might identify to the committee areas of potential ski development that are included in these boundary recommendations, simply so that we can——

Ms. INGALSBEE. The ones that are included within the wilderness?

Senator WALLOP. Yes. You don't particularly mean ones that are outside of the recommended boundaries. I understand and agree with some of the statement you made in your testimony about the balance of public use of natural resources. The ski industry is growing. If there is legitimate potential—I'm not really talking about cross country, but I'm talking about downhill skiers—that lie within the boundaries proposed within these bills, and you've identified a couple of them, but if there are others, I think the committee would like to know about it.

Ms. INGALSBEE. There are five areas that have been identified both by the Forest Service and I will supply you with that information.

Senator WALLOP. Mr. Wetzel, those Domeland areas, Monache areas that you talked about, are they part of the additions in this bill, or are they RARE II recommendations?

Mr. WETZEL. The South Sierra Area studied by the Forest Service has been determined that it should not be categorized as wilderness. The Monache Area has been studied several times. That's just a study area in this bill, and that was also recommended for nonwilderness. The Domelands areas were recommended for further planning.

Senator WALLOP. Despite the fact that they had these authorized trails?

Mr. WETZEL. Yes, sir.

Senator WALLOP. Ms. Ingalsbee, was that the quote of Congressman Burton, that those 600 acres were added just to, "punish skiers"?

Ms. INGALSBEE. I must say, Senator Wallop, this hearing on RARE II is much more comfortable than my house hearing on RARE II, and I believe that was a pretty accurate statement.

Senator WALLOP. What did you do that you deserved to be punished?

Ms. Ingalsbee. I'm not to sure, but I believe it was because when we did go to the hearings, we said that our members are skiers as a recreation, that they were involved in many other issues that deal with this question, and we did find the doubling of the wilderness system beyond the compromise that we had previously agreed with.

Senator Wallop. I must say it strikes this Senator as a peculiar criteria for wilderness additions.

Again, I appreciate your testimony. I appreciate the testimony of all who came here. It is my belief that this is an issue far too complex to secure any comfortable resolution in a hearing of this magnitude. I think Mr. Allen probably has cohorts somewhere in California, some of which he may know, some of which he may not know, who have similar kinds of creative recommendations that ought to be heard. I believe that there are questions that were raised about the economic impact on some of the additions, whether in recreation.

It would be my hope that this would proceed perhaps in another fashion than a late-minute closing dash, and certainly not in the manner in which the House dealt with it.

I appreciate the hearings that they had.

Again, my thanks to all sides who came here and whose interest I understand from both perspectives. It is an issue that I believe, not only in California, but in the country that does need resolution, that should be resolved. I believe we are doing our forests a disservice by holding much of them out of creative management, protective development, recreation, back country, or any other designation. I would hope that we could get on with it. Thank you. The committee stands adjourned.

[Whereupon, at 11:15 a.m., the hearing was adjourned.]

[The subcommittee received the following letter for inclusion in the hearing record.]

California Farm Bureau Federation,
Sacramento, Calif., December 14, 1982.

Hon. Malcolm Wallop,
Chairman, Senate Energy and Natural Resources Committee, Subcommittee on Public Lands and Reserved Water, Dirksen Senate Office Building, Washington, D.C.

Dear Senator Wallop: The California Farm Bureau Federation, representing nearly one hundred thousand member families, wishes to express its opposition to three bills which are scheduled for hearing by your subcommitee on Tuesday, December 14, 1982. We are opposed to S. 1584 and H.R. 4083, two wilderness bills which are specific to California and S. 2811 which is a bill to extend the development moratorium on the Tuolumne River.

We are opposed to S. 1584 and H.R. 4083 because California already has about 2.1 million acres of natural forests designated as wilderness and if passed, these bills would nearly double the acreage of California national forest land in the wilderness preservation system. Some of the impacts of increasing the amount of forest land in wilderness areas would be; reduction of off-road vehicle use and development of new ski areas; potential reduction of livestock grazing because of restrictions in the use of motorized vehicles; curtailment of the extraction of minerals and development of energy in areas which have high potentials for minerals and power generation; and, a reduction in long-term timber yields which would affect employment in the areas taxes paid to the counties in which forests are located.

S. 2811 proposes to extend the restriction of water resource construction for one year on the Tuolumne River. There has been a moratorium on developments on the Tuolumne River for three years and we feel that adequate time has elapsed for a determination to be made as to whether or not the various segments of the river should be designated as "wild and scenic."

California has a need for the electrical power and the water that could come from developing certain areas of the Tuolumne River. With inflation pushing costs up, further delays in going ahead with projects on the river can only mean higher energy costs for consumers and continued drains on ground water.

We feel that the Tuolumne River should never have been recommended for "wild and scenic" designation and that any efforts to renew the moratorium that expired October 2, 1982, should be opposed.

We respectfully request that your subcommittee not pass S. 1584, H.R. 4083, or S. 2811.

Thank you for giving our views on these bills your attention.

Sincerely,

HENRY J. VOSS, *President.*

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